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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, January 10, 2006 2:00 PM

DOCUMENTS DEPT.
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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

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Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum.

Supervisor Alioto-Pier Excused from Attendance

Supervisor Dufty, seconded by Supervisor Maxwell, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve the December 6, 2005 and December 13, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051827 **[Exempting pushcart peddlers with BART permits at 16th and 24th Street Stations from Police permit requirements]**
Supervisor Ammiano

Ordinance amending Article 17.3 of the Police Code by amending Section 1330 to define BART; adding Section 1330.2 to exempt pushcarts who obtain permits from BART for the 16th St. and 24th St. BART stations or adjacent plaza from obtaining a police permit; amending Section 1330.5 to require the Health Department Director to make a recommendation to BART within 30 days after the filing of such application with BART; amending Section 1330.14 to require the Health Department Director to forward the Certificate of Sanitation decal number assigned to each pushcart under the jurisdiction of BART to BART; and by renumbering Sections 1330.2 through 1330.6.

Ordinance No. 2-06
FINALLY PASSED

051820 **[Settlement of proceeding before the California Public Utilities Commission regarding the December 2003 fire at PG&E's Mission Substation and the subsequent outage]**
Supervisors McGoldrick, Maxwell

Ordinance authorizing settlement of the proceeding before the California Public Utilities Commission, Investigation 05-03-011, to determine whether PG&E should be found in violation of state law and fined in connection with the December 2003 fire at the Mission Substation and the subsequent outage affecting 100,000 customers in San Francisco.

PASSED, ON FIRST READING

051877 **[Settlement of Lawsuit - Carol Renault v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Carol Renault against the City and County of San Francisco for $900,000; the lawsuit was filed on July 20, 2004 in San Francisco Superior Court, Case No. 433-157; entitled Carol Renault v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051878 **[Settlement of Lawsuit - 1750 Connecticut Street, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by 1750 Connecticut Street against the City and County of San Francisco for $75,000; the lawsuit was filed on August 20, 2004 in San Francisco Superior Court, Case No. 433-992; entitled 1750 Connecticut Street, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051896 **[Settlement of Lawsuit - National Center for International Schools, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by National Center for International Schools against the City and County of San Francisco for $178,667.42; the lawsuit was filed on October 28, 2004 in San Francisco Superior Court, Case No. 435-875; entitled National Center for International Schools, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051899 **[Settlement of Lawsuit - Evan Weiss Arkush, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Evan Weiss Arkush against the City and County of San Francisco for $125,000; the lawsuit was filed on July 26, 2004 in San Francisco Superior Court, Case No. 432-947; entitled Evan Weiss Arkush, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051935 **[Settlement of Claim - Yully Company]**
Resolution approving the settlement of the unlitigated Claim No. 05-03042 filed by Yully Company on March 24, 2005, against the City and County of San Francisco for $119,000. (City Attorney)

Resolution No. 20-06
ADOPTED

051976 **[Appointment - Back Streets Business Advisory Board]**
Resolution appointing Michael Potepan, term ending November 16, 2006, to the Back Streets Business Advisory Board.

Michael Potepan, succeeding My Do, resigned, seat 6, must be an officer or representative of an economic development or planning organization or association, or of an academic institution, for the unexpired portion of a two-year term ending November 16, 2006.

Resolution No. 7-06
ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

051808 **[Liquor License Transfer, 4715 Geary Boulevard]**
Hearing to consider that the transfer of a Type 21 off-sale general alcoholic beverage control license from 308 Randolph Street to 4715 Geary Boulevard (District 1), to Wendy Ai-Phi Van dba D&M Liquor Mart, will serve the convenience of the people of the City and County of San Francisco.

Resolution No. 4-06
ADOPTED

051913 **[Grant of Regional Funds - Municipal Transportation Agency]**
Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $11,283,000 of Regional Measure 2 funds for the Automatic Vehicle Location System project.

Resolution No. 5-06
ADOPTED

051957 **[Grant of Local Funds - Municipal Transportation Agency]**
Supervisors Dufty, Ma

Resolution authorizing the Municipal Transportation Agency to accept and expend $876,050 of Transportation Fund for Clean Air Regional Funds from the Bay Area Air Quality Management District to implement projects that reduce air pollution from motor vehicles.

Resolution No. 21-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Severed from Consent Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

051763 **[Appointment - Public Utilities Revenue Bond Oversight Committee]**
Resolution appointing David Sutter, term ending November 12, 2009, to the Public Utilities Revenue Bond Oversight Committee.

David Sutter, succeeding himself, term expired, seat 2, must have expertise, skills and experience in economics, the environment, construction or project management, for the unexpired portion of a four-year term ending November 12, 2009.

Resolution No. 3-06
ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

052053 **[Adopting findings related to the conditional use appeal on property located at 80 West Portal Avenue]**
Supervisor Elsbernd

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2005.0698C (which allowed the establishment of a mortgage brokerage as a business or professional service (Guarantee Mortgage), in a vacant ground floor commercial space approximately 2,318 gross square feet in the West Portal Avenue Neighborhood Commercial District and 26-X Height an Bulk District) for property located at 80 West Portal (Lot 008, in Assessor's Block 2931). (Clerk of the Board)

(Companion measure to Files 051784, 051785, 051786, 051787.)

Supervisor Elsbernd requested to be added as a co-sponsor.

Motion No. M06-3
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051559 **[An ordinance conforming state law, provisions of the Administrative Code, which permit any person who is liable for tax on property that has been damaged or destroyed by misfortune or calamity, to apply to the Assessor for reassessment]**

Supervisor Elsbernd

Ordinance amending Section 10.2-5 of the San Francisco Administrative Code to conform to Section 170 of Chapter 2.5, Part 1, Division 1 of the California Revenue and Taxation Code providing that every assessee of any taxable property, or any person liable for the taxes thereon, whose property was damaged or destroyed, without his or her fault, by a misfortune or calamity, may apply for reassessment of that property; specifying the nature of the damage or destruction required to be eligible for reassessment; and also specifying that the Assessor-Recorder may initiate the reassessment where the Assessor-Recorder determines that within the preceding 12 months taxable property located in the County was damaged or destroyed, for the purpose of providing property tax relief to residents of the City and County of San Francisco.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051721 **[Zoning - Interim Moratorium on New Check Cashing and Pay Day Lender Uses]**

Supervisors Ammiano, Maxwell, Dufty, Daly, Mirkarimi

Urgency Ordinance approving an interim zoning moratorium on new check cashing and pay day lender uses for 45 days and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Ordinance No. 1-06

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051789 **[Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers in theatrical services; and workers performing moving services]**

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; and (5) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

(Fiscal impact.)

Supervisor Mirkarimi requested to be added as a co-sponsor.

Resolution No. 10-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051923 **[Authorization for Loan from SFCTA]**
Supervisor McGoldrick

Resolution authorizing the City and County of San Francisco, through its Municipal Transportation Agency, to borrow $22.57 million of Proposition K Sales Tax Funds from the San Francisco County Transportation Authority to allow the Third Street Light Rail Transit – Muni Metro East Maintenance and Operations Facility Project to proceed in advance of receiving anticipated state grant funds.

Resolution No. 6-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Government Audit and Oversight Committee

051273 **[Airport Environmental Review]**
Resolution certifying the Determination of the Office of Environmental Review that no further environmental review document is necessary for the West Field Cargo Redevelopment Project at San Francisco International Airport. (Airport Commission)

Resolution No. 2-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051149 **[Webpage maintenance by individual members of the Board of Supervisors]**
Supervisor Daly

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 6.22 to expressly permit individual members of the Board of Supervisors to maintain and update Webpages hosted on the Website of the Board of Supervisors.

Motion No. M06-4
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the Land Use Committee

Supervisor Mirkarimi Excused from Voting

Supervisor Dufty, seconded by Supervisor Ammiano, moved to excuse Supervisor Mirkarimi at his request, because of possible conflict of interest, from voting on File No. 0516367. The motion carried by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Alioto-Pier, Mirkarimi

051637 **[Subdivision Code – Planning Commission hearings on condominium conversions]**
Supervisor Daly

Ordinance amending Subdivision Code Section 1332 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Alioto-Pier, Mirkarimi

Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on February 3, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before March 3, 2006.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Dufty, Elsbernd, Ma
Excused: 2 - Alioto-Pier, Mirkarimi

051822 **[Residential Housing Purchaser Protection Ordinance]**
Supervisor Daly

Ordinance amending Administrative Code Section 37.10A to require property owners and their agents to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Ordinance amending Administrative Code Section 37.10A to require property owners to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on January 20, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before February 19, 2006.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Dufty, Elsbernd, Ma
Excused: 1 - Alioto-Pier

Recommendations of the Rules Committee

051439 **[Campaign Finance Reform Amendments of 2005]**
Supervisor Mirkarimi

Ordinance amending the Campaign and Governmental Conduct Code by adding a new Section 1.103, amending Sections 1.100, 1.104, 1.112, 1.114, 1.120, 1.128, 1.130, 1.134, 1.144, 1.152, 1.168, and 1.170, repealing Section 1.118, and repealing Chapter 3 of Article 1, Sections 1.300, 1.305, 1.310, 1.312, 1.315 and 1.320 to: (1) make technical changes including the correction of grammatical or reference errors and the reordering of Sections; (2) conform the Campaign Finance Reform Ordinance to the adoption of Ranked Choice Voting; (3) move the Electronic Filing Ordinance from Chapter 3 of Article 1 of the Campaign and Governmental Conduct Code to the Campaign Finance Reform Ordinance; and (4) expressly set forth a statute of limitations for criminal, civil, administrative and collection actions brought under the Campaign Finance Reform Ordinance. (Ethics Commission)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051652 **[Office of Labor Standards Enforcement]**
Supervisors Ammiano, Mirkarimi

Ordinance adding Section 2A.23 to Chapter 2 of the San Francisco Administrative Code to establish the Office of Labor Standards Enforcement within the Department of Administrative Services to enforce the Minimum Wage Ordinance, Minimum Compensation Ordinance, Health Care Accountability Ordinance, Prevailing Wage Ordinances and carry out additional duties as established by Charter or ordinance; and amending Section 6.24 of the Administrative Code to delete language duplicative of Section 2A.23.

Supervisor Mirkarimi requested to be added as a co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051845 **[Confirmation: City Hall Preservation Advisory Commission]**
Mayor

Resolution confirming the appointment of James W. Haas, G. Bland Platt and Anne Cervantes for a two year term to the City Hall Preservation Advisory Commission.

Resolution No. 11-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051846 **[Confirmation: City Hall Preservation Advisory Commission]**
Mayor

Resolution confirming the appointment of Ellen Schumer and Mae Woo for a four year term to the City Hall Preservation Advisory Commission.

Resolution No. 12-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051871 **[Settlement of Lawsuit - Kristen Odlaug v. City and County of San Francisco and Robert Palu]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of $400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San Francisco and Robert Palu.

Continued to January 17, 2006.
Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051952 **[Board of Supervisors - Meeting Schedule]**
Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the February 21, 2006, May 30, 2006, October 10, 2006, November 28, 2006, December 19, 2006, December 26, 2006 and January 2, 2007 meetings and by canceling all Board and Committee meetings from August 16 through September 5, 2006 and re-instating the regularly scheduled Board of Supervisors meeting on January 17, 2006. (Clerk of the Board)

Resolution No. 1-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051951 **[Rules of Order - Select Committee on Ending Gun and Gang Violence Consists of Five Members]**
Supervisor Maxwell

Motion amending the Board of Supervisors Rules of Order by adding Rule 5.8 to provide that the Select Committee on Ending Gun and Gang Violence shall be comprised of five members of the Board of Supervisors.

Motion No. M06-5
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendations of the City Operations and Neighborhood Services Committee

051903 **[Paratransit Reimbursement – Taxi Meter Rates]**
Supervisor Alioto-Pier

Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratransit program to December 31, 2006.

Continued to Janaury 24, 2006

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051458 **[Public Works Code - landmark trees, significant trees, and penalties for violations]**
Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 801 to add to the purposes; by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board and to assume new duties; amending Section 806 to allow for appeals of decisions concerning removal of street trees that are the responsibility of City departments and to extend the notice period to 30 days for removal of street trees that are the responsibility of private property owners; amending Sections 806 and 807 to require imposition of in lieu fees under specified circumstances; adding Section 810A to define significant trees and establish a regulatory program governing their removal; amending Sections 804, 807, and 808 to make conforming changes regarding significant trees; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; requiring the Office of the Legislative Analyst to prepare a report concerning financial incentives related to landmark trees; and making environmental findings.

Supervisor Ma dissented in committee.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma
Excused: 1 - Alioto-Pier

051720 **[Limousines operating as unlicensed taxicabs; inspection of limousine waybills; criminal and administrative penalties]**
Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by: (1) repealing current Section 1165, dealing with local licensing of limousines; (2) amending Section 1078, to re-state the prohibition on limousines acting as unlicensed taxicabs within San Francisco; (3) adding a new Section 1165, pursuant to California Public Utilities Code Section 5371.4(i), to authorize police officers and the Taxi Commission Executive Director to inspect limousine waybills and make violation an infraction; (4) amending Section 1185, to correct certain misdemeanor penalties and increase infraction penalties for violation of Sections 1078 and 1165; and (5) adding Section 1187.1, to authorize imposition of administrative penalties against persons operating a motor vehicle as a taxicab without a permit.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

051751 **[Public Hearing - Appeal of Tentative Parcel Map for 901 Bush Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 6, 2005 (Condominium Application No. 2005.0333Q), disapproving a proposed Tentative Parcel Map to legalize the construction of a 38-unit new condominium at 901 Bush Street, Southwest corner at Taylor Street, San Francisco, Lot 001 in Assessor's Block 0282. (Appellant: Matthew A. Brennan, Esq., on behalf of property owners (M-J SF Investments, LLC).

(Filed 10/13/04; companion measure to Files 051752, 051753, 051754; District 3.)

The President inquired as to whether or not any member wished to address the Board.

Charles Rathbone, support of Department of Public Works decision
Francisco Da Costa, position undeclared
Steve Collier, support of project sponsor
Michael Voltstein, support of Department of Public Works decision
Male speaker, supporting Public Works disapproval of a proposed tentative parcel map
Brett Gladstone, Attorney representing the appellant. He requested a 3 week continuance
Ted Gullickson, support of appellant
James Netimocker, support of appellant
Male speaker, support of appellant
Marge Vincent, support of appellant
Richard Stipmann, support of Department of Public Works decision
Jose Morales, support of Department of Public Works decision
Daisy McArthur, support of Department of Public Works decision
Male speaker, support of Department of Public Works decision
Male speaker, support of Department of Public Works decision

The President declared the public hearing closed.

Supervisor Ma, seconded by Supervisor Sandoval, moved to continue the 901 Bush Street appeal to January 31, 2006
Motion to continued failed by the following vote:
Ayes: 3 - Elsbernd, Ma, Sandoval
Noes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1-Alioto-Pier
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051752 **[Approving decision of the Director of Public Works and disapproving Tentative Parcel Map for 901 Bush Street]**

Motion approving decision of the Director of Public Works, and disapproving Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Ma, Sandoval
Excused: 1 - Alioto-Pier

Motion approving decision of the Director of Public Works, and disapproving Tentative Parcel Map for a 38-unit condominium project located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Motion No. M06-2

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Ma, Sandoval
Excused: 1 - Alioto-Pier

051753 **[Disapproving decision of the Director of Public Works and approving Tentative Parcel Map for 901 Bush Street]**

Motion disapproving decision of the Director of Public Works, and approving Tentative Parcel Map to legalize the proposed construction of a 38-unit new condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051754 **[Findings - 901 Bush Street]**

Motion directing the Clerk of the Board to prepare findings relating to Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 4:00 P.M.

051755 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 733-27th Avenue]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated August 24, 2005, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Section 15301 (Class 1)] the proposed interior renovations, façade alteration and horizontal and vertical extensions of the existing two-family residence. The existing two-story building is approximately 1,848 feet in size and has one off-street parking space. Upon completion of the proposed project, the building would have two residential units in a three-story, approximately 4,700 square-foot building with two off-street parking spaces in the ground floor garage. The proposed project would result in a horizontal addition that would extend the existing building about six feet to the north property line and 18 feet west into the rear yard and a vertical addition that would add a third floor to the existing building. The project would also include interior renovations and alteration of the façade.

The approximately 3,710 square-foot project site is located at 733-27th Avenue (Assessor's Block 1617, Lot 3), The project is within RH-2 (House, Two-Family) zoning district and within a 40X height and bulk district. (Appellant: Stephen M. Williams representing the neighbors of the above-referenced project.)

(Filed 10/13/05; companion measure to Files 051756, 051758, 051758; District 1.)

The President inquired as to whether or not any member wished to address the Board.

Stephen Williams, Representative for the appellant
Vincent Marsh, Historic Preservation Consultant support of the appellant
Joe Butler, architect, support of appellant
Ron Miguel, support of appellant
Male speaker, support of appellant
Doug Shultz, appellant
Valerie Lily, support of appellant
Male speaker, support of appellant
Cheryl Shultz, appellant
Cheryl Lejays, support of appellant
Jean Barrish, support of appellant
Gabe Laberquest support of appellant
Jen Colium, support of appellant

Paul Maltzer, Environmental Review Officer, and N. Mosses Corrette of the Planning Department, reviewed with the Board the Planning Department's recommendation.

David Cincotta, Attorney for the project sponsor
Female speaker, support of project sponsor
Mr. Quach, support of project sponsor
Male speaker, support of project sponsor
Illene Tran, support of project sponsor
Lisa Liou, support of project sponsor
Larry Sykes, support of project sponsor
Francisco Da Costa, support of project sponsor

Appellant rebuttal
Stephen Williams and Vincent Marsh, representatives of the appellant

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051756 **[Affirming the categorical exemption issued for 733-27th Avenue]**

Motion affirming the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Alioto-Pier

051757 **[Disapproving the categorical exemption issued for 733-27th Avenue]**

Motion disapproving the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-6

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Alioto-Pier

051758 **[Preparation of findings related to the categorical exemption issued for 733-27th Avenue]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-7

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Alioto-Pier

SPECIAL ORDER 4:30 P.M.

051996 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for Proposed Ordinance Regulating Off Street Parking in C-3 Zoning Districts]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 23, 2005, Case No. 2005.0796E, exempting from environmental review a Board of Supervisors proposed ordinance (Board File No. 051453) amending San Francisco Planning Code Sections 151, 151.1, 154, 155, 155.5, 166, and 167. The proposed legislation would amend Section 151 to set no minimum number of off-street parking spaces per dwelling unit and to provide that a maximum of one parking space per two dwelling units may be permitted by conditional use permit in C-3 zoning districts. Section 151.1, to require that, in C-3 zoning districts, the Planning Commission review any request for accessory parking in excess of what is permitted by right. Section 154, to provide that there are no minimum area or dimension requirements for off-street parking spaces in C-3 zoning districts, except for the off-street parking spaces designated for persons with disabilities. Section 155, to require below grade off-street parking in C-3 zoning district, set forth the width of openings in any single development for access to off-street parking, and prohibit sidewalk narrowings for porte cocheres to accommodate passenger loading and unloading. Section 155.5, to require a minimum number of bicycle parking spaces in dwelling units in C-3 zoning districts. Section 166, to require that, in C-3 zoning districts, newly constructed buildings that contain residential uses have a minimum number of off-street car-share parking spaces. Section 167, to provide that in C-3 zoning districts, the costs of off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more must be leased or sold separately from the rent or purchase fees for the dwelling units, subject to an exception by the Planning Commission for affordable housing projects where parking and housing costs must be bundled together. (Appellants: Wade Randlett on behalf of SFSOS, J. Timothy Falvey on behalf of Union Square Association and Katherine Mattes on behalf of BOMA-SF.)

The President inquired as to whether or not any member wished to address the Board.

Appellant

Make Speaker, support of appellant
Norman Rolfe, support of the Planning Department's decision
Lawrence Badiner, Planning Department

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051997 **[Affirming the CEQA exemption determination issued for proposed ordinance regulating off-street parking in C-3 zoning districts]**

Motion affirming the determination by the Planning Department that a proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-8

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Alioto-Pier

051998 **[Disapproving the CEQA exemption determination issued for a proposed ordinance regulating off-street parking in C-3 zoning districts]**

Motion disapproving the determination by the Planning Department that a proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Alioto-Pier

051999 **[Preparation of findings related to the CEQA exemption determination issued for a proposed ordinance regulating off-street parking in C-3 zoning districts]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that a proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-9

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Alioto-Pier

SPECIAL ORDER 5:00 P.M.

051991 **[Public Hearing - Conditional Use Appeal for 2660 Harrison Street]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17139 dated November 3, 2005, approving Conditional Use Application No. 2004.0672ECV, subject to certain conditions, to allow the construction of dwelling units within a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a) in order to demolish an existing vacant commercial building and construct two new four story over garage buildings containing a total of sixty-eight dwelling units and sixty-eight off-street parking spaces on a property within a C-M (Heavy Commercial) zoning district, the 'Housing/Mixed Use' sub-area of the Eastern Neighborhoods planning area as set forth in Planning Commission Resolution Number 16727, and a 40-X Height and Bulk District, located at 2660 Harrison Street, on the west side between 22nd and 23rd Streets. (Appellant: Sue Hestor, attorney for Nick Pagoulatos/Mission Anti-Displacement; subscribed by Supervisors Tom Ammiano, Chris Daly, Aaron Peskin, Sophie Maxwell and Jake McGoldrick.)

(Filed 12/5/05; companion measure to Files 051992, 051993, 051994; District 9.)

Continued to January 24, 2006

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Alioto-Pier

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051992 **[Approving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**

Motion approving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to January 24, 2006

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Alioto-Pier

051993 **[Disapproving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street. (Clerk of the Board)

Continued to January 24, 2006

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Alioto-Pier

051994 **[Preparation of findings related to the Conditional Use Appeal for 2660 Harrison Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to January 24, 2006

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Alioto-Pier

COMMITTEE REPORTS

052006 **[Appropriation of Assessments Levied for Business Improvement Districts]**
Supervisor Peskin

Ordinance amending the Fiscal Year 2005-2006 Annual Appropriation Ordinance to appropriate revenues collected from special assessments for disbursement to the respective nonprofit Owners' Associations for administration of the property-based business improvement districts in San Francisco for authorized purposes.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

052018 **[Contract with Owners' Association for administration of North of Market/Tenderloin Community Benefit District]**
Supervisor Daly

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "North of Market/Tenderloin Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 15-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051967 **[Contract with Owners' Association for administration of Noe Valley Community Benefit District]**
Supervisor Dufty

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Noe Valley Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 13-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051968 **[Contract with Owners' Association for administration of Castro/Upper Market Community Benefit District]**
Supervisor Dufty

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Castro/Upper Market Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 14-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

052026 **[Contract with Owners' Association for administration of Fisherman's Wharf Community Benefit District]**
Supervisor Peskin

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Fisherman's Wharf Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 16-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

052030 **[Contract with Owners' Association for administration of 2500 Block of Mission Street Business Improvement District]**
Supervisor Ammiano

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "2500 Block of Mission Street Business Improvement District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 17-06
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Cadisa Jacobs, expressed concern about the Tenderloin Neighborhood Development Corporation and their building maintenance
James Chaffe, expressed concern over public library issues and LAFCO's discussion of public wireless access
Mr. Lou, expressed Chinese New Years Parade organizers exemption of Falun Gong
Female speaker, expressed concern over the Chinese Chamber of Commerce discrimination of Falun Gong
Evan, expressed concern of the persecution of Falun Gong
Eva Chuck, expressed concern over the Chinese Chamber of Commerce handling of applications for inclusion in the Chinese New Years Parade
Michele, expressed concern over discrimination against Falun Gong practitioners
Richard Shipmann, expressed concern over the auto return theft and destruction of property
Ace Washington, express concern over police brutality and use of the City Hall pressroom
Female speaker, expressed concern over discrimination against Falun Gong

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

052014 **[Declaration of Election Results]**
Supervisor Peskin

Resolution declaring the results of the November 8, 2005 Consolidated Special Statewide Election.

Resolution No. 8-06
ADOPTED

052031 **[Supporting Assembly Bill 944 (Ridley Thomas)]**
Supervisors Ammiano, Maxwell, McGoldrick, Daly

Resolution urging the Governor of California and the California Senate and Assembly to support the passage of Assembly Bill 944 (Ridley Thomas) which will require a warning label be conspicuously posted wherever firearms are sold and that the warning be included in firearms sales contracts and further that the warning be included in the Handgun Safety Certificate Study Guide published by the California Department of Justice.

Resolution No. 22-06
ADOPTED

052032 **[Commending George Gulbengay upon his retirement from the San Francisco Police Department]**
Supervisors Dufty, Elsbernd, Ma

Resolution commending George Gulbengay upon his retirement from the San Francisco Police Department.

Supervisors Elsbernd and Ma requested to be added as a co-sponsors.

Resolution No. 9-06
ADOPTED

052033 **[Urging the renaming of Western Addition Branch Library]**
Supervisors Mirkarimi, Dufty

Resolution urging the Library Commission to rename the Western Addition Branch Library as the Mary Helen Rogers Branch Library.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 18-06
ADOPTED

052034 **[Final Map for a 33 Unit Commercial/Residential Condominium Project - 1728-1748 Haight Street]**
Motion approving Final Map of 1728-1748 Haight Street, a Commercial / Residential Condominium Project, being a subdivision of Lot 035 in Assessor's Block No. 1229, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 175774; District 5.)

Motion No. M06-1
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Elsbernd, Sandoval
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

060013 **[Amending the Police Code to allow pawnbrokers to operate on Sundays and on Mondays following a holiday]**
Supervisor Ma

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Sundays and on Mondays following a holiday, and to make clerical corrections.
1/10/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/9/2006.

060029 **[Neighborhood Sanitation and Housing Habitability Ordinance]**
Supervisors Mirkarimi, Peskin

Ordinance amending Article 11 of the San Francisco Health Code to change the title from "Nuisance" to "Neighborhood Sanitation and Housing Habitability," adding relevant definitions to Section 580, amending the definition of nuisance in Section 581 to include asbestos hazards and violations of Sections 582, 583 and 295, adding Section 582 to set forth specific requirements to prevent vermin and insect disease vector harborage and infestation in dwellings, commercial establishments, and vacant lots in order to improve the health, safety and general welfare of occupants, adding Section 583 to prohibit smoking in common areas of multiple unit residential facilities, adding Section 584 to give the Department of Public Health the discretion to require owners and managers of multiple dwellings with more than three dwelling units and a history of noncompliance to complete Department of Public Health-approved training sessions; adding potential attorneys' fees recovery for those cases in which the City elects to recover attorneys' fees to Sections 596 and 609, clarifying and making consistent with state law the Director's authority in Section 596 to issue orders to vacate a premises upon discovery of a nuisance that endangers the immediate health and safety of the residents, adding a requirement that the Director give notice to relocated tenants under this section that they may be eligible for assistance pursuant to California Health and Safety Code Sections 17975 et seq., adding lien recovery for attorneys' fees for Section 599 and 609, adding civil penalties of $500 per violation per day to Section 600, authorizing recovery of all costs and fees, including attorneys' fees, incurred in enforcement under Section 609 and raising the existing inspection fees to $150 for the first hour and $75 for each additional half-hour or part thereof, extending the notice and hearing provisions for lien collections under Sections 609.1 and 609.2 to include the additional costs and fees that may be recovered under the amended Section 609, creating fees in Section 609 for routine and complaint-based inspections that reveal violations; adding Section 295 to require that in all multi-story residential facilities, refuse be collected from the ground level or below ground level garbage collection rooms, designated garbage areas or from the sidewalk and that refuse from upper floors may not be transferred to those designated areas between the hours of 11 p.m. and 7 a.m., expanding the definition of lead hazards in Sections 1603 and 581(b)(10) to include hazards to adults as well as children.
1/10/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/9/2006. Fee Ad required

060030 **[Weights and Measures–Registration and Inspection Fees]**
Mayor

Ordinance amending Section 1.13-5 of the San Francisco Administrative Code, to set new fees for the registration and inspection of weighing and measuring devices, based on each device and business location.
1/10/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060031 **[Approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN) for registration of Internet Protocol address space]**
Supervisor Dufty

Ordinance approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN), for the registration of Internet Protocol address space, required to increase the City's bandwidth on the Internet and designating ARIN as the sole source contractor for the registration of Internet Addresses, and waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, and approving the City indemnifying and holding ARIN harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, and waiving the requirement of Section 21.19(d) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision.
1/10/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/9/2006.

060032 **[Exempting certain medical cannabis dispensaries from the requirement that all new dispensaries be located not less than 1000 feet from a school, community facility, or recreation building]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to exempt certain medical cannabis dispensaries from the requirement that all medical cannabis dispensaries that commenced operation after April 1, 2005 be located not less than 1000 feet from the parcel containing a school, community facility, or recreation building; amending the San Francisco Health Code by amending Section 3304 to conform to the San Francisco Fire Code and Section 3305 to provide for referral of permit applications to the Department of Building Inspection; and making environmental findings and findings of consistency with the priority planning policies of Planning Code Section 101.1 and the General Plan.
1/10/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/9/2006.

060033 **[Prohibiting Political Contributions from Corporations to Candidates for City Elective Office]**
Supervisor Peskin

Ordinance amending section 1.114 of the San Francisco Campaign and Governmental Conduct Code to prohibit corporations from making campaign contributions to candidates for City elective office.
1/10/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/9/2006.

060036 **[Requirements for residential off-street parking in C-3 districts and for bicycle and car share parking in all districts]**
Supervisor Alioto-Pier

Ordinance amending the San Francisco Planning Code by amending Section 123 to provide that residential parking does not apply to the maximum gross floor area in C-3 districts; amending Section 151.1 to establish a maximum of one parking space per residential unit in C-3 districts; adding Section 151.2 to create a FAR incentive program in C-3 Districts to encourage parking ratios of less than 0.75 spaces per unit; adding Section 154.1 to revise the minimum dimensions for off-street parking spaces in C-3 districts; amending Section 155 to allow parking accessed by automated garages or car elevators and valet parking in lieu of independently accessible spaces in C-3 Districts, to exclude car-share parking spaces from the parking pricing requirements of Section 155(h) and to add Section 155(s) to require compliance with specified urban design requirements for off-street parking and loading spaces on development lots larger than 5,000 square feet in C-3 Districts; amending Section 155.5 to require bicycle parking for residential uses in all districts in addition to the DTR districts; amending Section 157 to provide for a demonstration that car-share parking cannot satisfy the need for non-accessory parking as a conditional use; amending Section 166 to specify minimum requirements for car-share parking spaces and to authorize substitution of car-share parking spaces for certain required parking in all districts in addition to the DTR districts; amending Section 166 to establish a certification process for car-share organizations, to specify minimum requirements for car-share parking spaces and to authorize substitution of car-share parking spaces for certain required parking in all districts in addition to the DTR districts; amending Section 167 to require that parking spaces in new residential buildings of 10 units or more in C-3 districts be sold or leased separately from the units; amending Section 204.5 to exclude car-share parking spaces from the maximum number of spaces allowed as an accessory use; amending Section 303(c)(2)(B) to provide for consideration of whether a use seeking a conditional use permit is providing car-share parking; amending Section 309 to provide for review of C-3 projects seeking more than 0.375 parking space per dwelling unit and to allow exceptions from the requirements of Section 155(s); amending Section 790.10 to include a car-share parking as part of a community residential parking use; amending Section 890.10 to include a car-share parking as part of a community commercial parking garage use; and adopting findings.
1/10/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/9/2006.

Resolutions

060014 **[Regional Isolation Facility for TB Patients]**
Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $50,000 from the State Department of Health Services TB Control Branch (SDHSTBCB), to enter into an agreement for the use of these funds, and to add one position at .33 FTE funded through this grant agreement; for the period of July 1, 2005, to June 30, 2006.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be heard at the January 23, 2006 meeting.

060021 **[Authorize grant funding for the YouthPOWER project from the Substance Abuse Mental Health Services Administration (SAMHSA)]**
Supervisors Maxwell, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a continuation grant from the Substance Abuse Mental Health Services Administration (SAMHSA) in the amount of $200,000 for the YouthPOWER Project; for the period of October 1, 2005, to September 30, 2007.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the next available meeting.

060022 **[To provide five state funded food and agriculture and pesticide regulation programs in San Francisco]**
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend five grants in the total amount of $11,320 from the California Department of Food and Agriculture (CDFA) for the seed, nursery, and sudden oak death programs ($2,608) and the petroleum products program ($6,900); and from the California Department of Pesticide Regulation (CDPR) for the pesticide use reporting ($1,812) program, and to enter into agreements for the use of these funds; for the period of July 1, 2005 through June 30, 2006.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the next available meeting.

060023 **[Grant for supportive housing for chronically homeless exiting criminal justice institutions]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $739,982 from the Department of Justice (DOJ) for supportive housing for chronically homeless offenders, to enter into an agreement for the use of these funds, and to add 1.5 new positions funded under this agreement; for the period of July 1, 2005 to June 30, 2006.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. DPH requests this item be calendared at the next available meeting.

060024 **[Grant to enhance capacity of local minority HIV/AIDS organizations]**
Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new federal grant in the amount of $271,665 from the Office of Minority Health (OMH) to enhance the capacity of local minority-based HIV/AIDS organizations, and to enter into an agreement for the use of these funds; for the period of September 1, 2005, to August 31, 2006.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. DPH requests this item be calendared at the next available meeting.

060025 **[Accept-Expend Federal Grant – Spousal Abuser Prosecution Program]**
Supervisor Ma

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program" for fiscal year 2005/2006.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be heard at the January 23, 2006 meeting.

060026 **[Condemning the persecution of Falun Gong practitioners]**
Supervisor Daly

Resolution condemning the People's Republic of China for its persecution of Falun Gong practitioners and expressing the position of the City and County of San Francisco to Federal Officials, the Mayor of Shanghai and the Chinese Consulate and urging federal officials and the State Department to follow United State Congress Resolution 304.

Supervisor McGoldrick dissenting in committee.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060027 **[Change the name of 16th Street between Pond Street and Prosper Street in the Castro to José Sarria Court]**
Supervisors Dufty, Ammiano, Ma, Mirkarimi, Daly, McGoldrick

Resolution changing the name of 16th Street between Pond Street and Prosper Street in the Castro to "José Sarria Court," in recognition of José Sarria, who is one of the most heroic, courageous, and colorful and creative figures in San Francisco's history.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the 1/23/06 meeting

01/12/06 - Referred to Public Works, Parking and Traffic, Chief of Police, and Fire Dept. for review and comment.
01/12/06 - Public work to post notices at affected location.

060028 **[STOP Intersections]**
Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Haight Street and Cole Street: stopping eastbound at Haight Street.
Irving Street and 11th Avenue: stopping eastbound and westbound on Irving Street.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 01/12/06- Referred to Parking and Traffic for CEQA review.

060034 **[Expanding the Western SoMa Citizens Planning Task Force]**
Supervisor Daly

Resolution expanding the Western SoMa Citizens Planning Task Force and re-defining the Task Force's quorum.
1/10/06, RECEIVED AND ASSIGNED to Rules Committee.

060037 **[Commending Christine Quinn]**
Supervisors Ammiano, Dufty

Resolution commending New York City Council member Christine Quinn for being selected as the new Speaker of the New York City Council and for being the first woman, openly gay and Irish Speaker of the City Council of New York City.
1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060038 **[Extension of SRO Hotel Safety and Stabilization Task Force]**
Supervisors Ammiano, Daly

Resolution extending the operations of the Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force through December 31, 2006.
1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060039 **[Accept-expend State Grant Funds available under the Land and Water Conservation Fund Program to fund the 24th Street York Mini Park Project]**
Supervisor Ammiano

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $81,190 available under the Federal Land and Water Conservation Fund Program administered by the National Park Service under the provisions of the Land and Water Conservation Fund Act of 1965 for the development of the 24th Street York Mini Park.
1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060040 **[Accept-expend State Grant Funds available under the Youth Soccer and Recreation Development Program to fund the South of Market Area (SOMA) Park]**
Supervisor Daly

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $630,000 for the development of the South of Market Area (SOMA) Park, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.
1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060041 **[75th Anniversary of the San Francisco Golden Gloves]**
Supervisor Ma

Resolution commending the 75th anniversary of the San Francisco Golden Gloves.
1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060042 **[Accept-expend State Grant Funds available under the State Urban Parks and Healthy Communities Program to fund the Argonne Playground Project]**
Supervisor McGoldrick

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $664,428 for the development of the Argonne Playground Project, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.
1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060043 **[Adopting policies on the reimbursement of expenses and ethics training]**
Supervisor Peskin

Resolution adopting policies and procedures for the reimbursement of officers and employees for authorized expenses incurred in the performance of official duties and designating certain employees to receive ethics training specified in State law.
1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060044 **[Lee Mallory Day]**
Supervisor Peskin

Resolution declaring January 10th, 2006, Lee Mallory Day in San Francisco.
1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060011 **[SFUSD's process for determining proposed school mergers and closures]**
Supervisors Mirkarimi, Alioto-Pier, Maxwell

Hearing regarding San Francisco Unified School District's process for determining proposed school mergers and closures.
1/10/06, RECEIVED AND ASSIGNED to Rules Committee.

060012 **[24-hour Mobile Crisis Treatment]**
Supervisor Ma

Hearing to discuss the possibility of expanding 24-hour mobile crisis treatment by reviewing the most recent statistics and data on 5150s and other related issues in San Francisco.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060015 **[City's enforcement of Subdivision Code Section 1386 - Tentative Map]**
Supervisor Daly

Hearing on the City's enforcement of Section 1386 - Denial of Tentative Map of the Subdivision Code.
1/10/06, RECEIVED AND ASSIGNED to Land Use Committee.

060016 **[Budget Analyst Audit of the SFPUC]**
Supervisor Ammiano

Hearing on the Budget Analyst Phase-Four Management Audit of the San Francisco Public Utilities Commission.
1/10/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060017 **[Budget Analyst Audit of the Dept. of Recreation & Parks]**
Supervisor Ammiano

Hearing on the Budget Analyst Audit of the Department of Recreation and Parks.
1/10/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060018 **[Annual review and approval of the Board of Supervisors/Clerk of the Board budget guidelines.]**
Supervisor Daly

Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines for Fiscal Year 2006-07.
1/10/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060019 **[Falun Gong]**
Supervisor Daly

Hearing on discrimination against practitioners of Falun Gong by the Chinese Chamber of Commerce in San Francisco.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060020 **[Reinstatement of DPW Workers]**
Supervisor Mirkarimi

Hearing on the status and future of the $1.8 million that was allocated to reinstate DPW laborers, as well as the hiring process and the manner in which the hiring criteria was applied.
1/10/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

060035 **[Rules of Order of the Board - Land Use and Economic Development Committee]**
Supervisor Peskin

Motion amending the Rule of Order 5.5 renaming the Land Use Committee the "Land Use and Economic Development Committee".
1/10/06, RECEIVED AND ASSIGNED to Rules Committee.

060045 **[Rules of Order of the Board - Budget and Finance Committee]**
Supervisor Peskin

Motion amending the Rule of Order 5.1, establishing size, membership and jurisdiction of the Budget and Finance Committee.
1/10/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

052043 **[Settlement of Lawsuit -Frank Euphrate, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Frank Euphrate against the City and County of San Francisco for $925,000; the lawsuit was filed on September 10, 2003 in San Francisco Superior Court, Case No. 424-288; entitled Frank Euphrate, et al., v. City and County of San Francisco, et al. (City Attorney)
12/19/05, RECEIVED AND ASSIGNED to Rules Committee.

052044 **[Settlement of Lawsuit - Mary Williams]**
Ordinance authorizing settlement of the matter of Mary Williams v. City and County of San Francisco for $225,000. The lawsuit was filed on November 5, 2004 in San Francisco Superior Court, Case No. 436-121; entitled Mary Williams v. City and County of San Francisco, et al. (City Attorney)
12/19/05, RECEIVED AND ASSIGNED to Rules Committee.

052052 **[Permitting unattended vehicles in white zones in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers]**
Supervisors Ma, McGoldrick

Ordinance amending Traffic Code Section 38.C to permit vehicles to be left unattended in a white zone in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers. (Parking and Traffic Department)
12/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

PROPOSED RESOLUTIONS

052039 **[Fuel Contract 70881 - Office of Contract Administration]**
Resolution authorizing the Purchaser to award contract for Fuel, Diesel, Bio-Diesel and Gasoline as the contract will exceed $10,000,000.00. (Purchaser)

(Fiscal impact.)
12/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

052042 **[STOP Intersections]**
Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.
STOP SIGNS - ESTABLISH
Mangels at Colon Avenues, making this intersection an All-Way STOP. (Parking and Traffic Department)

(12/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3111.)
12/14/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

052045 **[Proposition J Certification, Status Offender Shelter and Intake Services]**
Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees. (Juvenile Probation Department)
12/20/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

052047 **[Quitclaim of Water Pipeline Easement]**
Resolution approving the quitclaim of a water pipeline easement located at 1410 El Camino Real, South San Francisco, San Mateo County to the owner of the underlying fee interest in the property for a purchase price of $30,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale by quitclaim is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Real Estate Department)
12/30/05, RECEIVED AND ASSIGNED to Land Use Committee.

052048 **[Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of $43,407 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the period of September 1, 2005, through August 31, 2006. (Public Health Department)
12/30/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

052049 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY, EXCEPT VANPOOLS - RESCIND
Folsom Street, both sides, between First and Spear Streets

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Hayes Street, south side, from the northbound Octavia Boulevard Frontage Road to 14.5 feet westerly. (Parking and Traffic Department)

(12/23/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)
12/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

052050 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Lakewood Way at Fairfield Way, stopping the northbound direction of Lakewood Way;
Amazon Avenue at Madrid Street, making this intersection an All-Way STOP;
Francisco Street and Laguna Street, stopping Francisco Street at Laguna Street, the stem of this T-intersection; and,
York Street at Peralta Avenue, stopping the stem of this T-intersection. (Parking and Traffic Department)

(12/23/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)
12/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

052051 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN EXCEPT MUNI - ESTABLISH
Market Street, southbound, at Clayton Street.

NO LEFT TURN, 7AM TO 9AM AND 4PM TO 7PM, MONDAY THROUGH FRIDAY - ESTABLISH
Potrero Avenue, northbound, at 22nd Street. (Parking and Traffic Department)

(12/22/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)
12/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Planning Department
To: Director, Redevelopment Agency
To: Mayor's Office
Requesting/Inquiring: Requesting complete information from the Planning Department, Redevelopment Agency, and the Mayor's Office, regarding the unexpected and imminent closure of the AMC Kabuki Theater (resulting from the merger settlement affirmed by State Attorney General Bill Lockeyer), and request any information that shall impede or support a community-driven process (Japantown and Western Addition) assigned to the re-use plan for said property.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at 248 Divisadero, 520 Divisadero, 656 Lyon, 141 Broderick, and 763 Broderick.

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of installing signs prohibiting bicycles and skateboards from sidewalks along both sides of (1) Irving Street between 6th Avenue and Funston and (2) 9th Avenue between Lincoln to Judah.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of re-striping the crosswalks at the intersection of 9th Avenue and Irving Street, at the intersection of 16th Avenue and Irving Street, and at the intersection of 17th Avenue and Irving Street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repainting the crosswalks at the intersection of Fulton Street and Lyon Street and at the intersection of Fulton Street and Baker Street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal at 1596 Fulton Street, 901 Haight Street, and 100 Broderick Street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repaving 9th Avenue between Lincoln and Judah.

From: Supervisor Elsbernd
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of installing a caution wildlife sign along Laguna Honda Boulevard between Lawton and Clarendon Ave.

From: Supervisor Maxwell
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to conduct traffic studies at the intersection of Dwight and Brussels and Goettingen and Woolsey and provide recommendations for slowing

down traffic in these areas.
1. Dwight and Brussels are situated at the bottom of a hill and cars speed past this intersection.
2. Cars park right up to the intersection of Goettingen and Woolsey. This creates blind spots at all four crossings, forcing cars to go into the intersection blindsighted.

From: Supervisor Mirkarimi
To: Director, Department of Elections: Requesting/Inquiring: Requesting a status report from the Department of Election on their ability to administer Ranked Choice Voting for near-term elections, and qualify any impediment or reason for any interruption of RCV, and attendant remedies for the contiguous use of RCV.

From: Supervisor Ammiano
To: Director, Metropolitan Transportation Agency
Requesting/Inquiring: Inquiring into the reason for the proposed closure of the MUNI Metro from the hours of 9:00 PM to Midnight and further requesting information about the provision of alternate transit routes for evening commuters.

From: Supervisor Ammiano
To: Director, Department of Human Resources:
Requesting/Inquiring: Inquiring into the status of the implementation of Resolution #764-05 which was adopted unanimously by the San Francisco Board of Supervisors on October 11, 2005, which "urges the Civil Service Commission and the Department of Human Resources to review and revise current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment" and further "supports eliminating the requirement that applicants disclose all past convictions on the preliminary application for public employment in the City and County of San Francisco in order to mitigate or eliminate discrimination against people who have been in prison or convicted of criminal activity in the past and to assist with their successful reintegration into the community after prison".

From: Supervisor Ammiano
To: Director, San Francisco Public Library
To: President, San Francisco Library Commission
Requesting/Inquiring: Requesting a letter encouraging the commissioners, at special Bernal Heights Community Library Commission to be convened on January 11, 2006 at 6:30 PM at the Bernal Heights Branch Library, to accommodate parent's request to hold public comment at the beginning of the meeting rather than towards the conclusion; and further encouraging the commission to provide Spanish language translation for monolingual and limited-English speaking attendees.

In Memoriams

Thomas P. Anderson - Supervisor Alioto-Pier
Alva Martin Bennett - Supervisor Alioto-Pier
Jim Bennett - Supervisor Alioto-Pier
Jerry Groves - Supervisor Alioto-Pier
George Hamner, Jr. - Supervisor Alioto-Pier
Terry Helms - Supervisor Alioto-Pier
Jesse L. Jones - Supervisor Alioto-Pier
David Lewis - Supervisor Alioto-Pier
Martin Toler - Supervisor Alioto-Pier
Fred Ware, Jr. - Supervisor Alioto- Pier
Jack Weaver - Supervisor Alioto-Pier
Marshall Winans - Supervisor Alioto-Pier
Tsuyako "Sox" Kitashima - Entire Board
Sadock Feretzis - Supervisor Elsbernd
Anne McCrystle - Supervisor Dufty
Joyce Ko Jones - Supervisor Ammiano
Edward Badelalla - Supervisor Mirkarimi
Nita Currie - Supervisors Dufty and Elsbernd
Richard L. Welsh - Supervisor Dufty
George W. Mix, Jr. - Supervisor Maxwell
Victor Lee - Supervisor Peskin
Joe Yuey - Supervisor Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 7:12 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 28, 2006.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, January 17, 2006 2:00 PM

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

SF
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1/17/06

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisor Ammiano was noted absent.

There was a quorum.

Supervisor Ammiano was previously excused from attending the meeting. (See Infra)

Supervisor Ammiano Excused from Attendance

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

AGENDA CHANGES

Supervisor Alioto-Pier, seconded by Supervisor Daly, moved to take Public Comment out of order in order to accommodate physically challenged individuals. The President indicated that Public Comment will be allowed for other members of the public at the scheduled Public Comment portion of the Board Agenda.

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

051559 **[An ordinance conforming state law, provisions of the Administrative Code, which permit any person who is liable for tax on property that has been damaged or destroyed by misfortune or calamity, to apply to the Assessor for reassessment]**
Supervisor Elsbernd

Ordinance amending Section 10.2-5 of the San Francisco Administrative Code to conform to Section 170 of Chapter 2.5, Part 1, Division 1 of the California Revenue and Taxation Code providing that every assessee of any taxable property, or any person liable for the taxes thereon, whose property was damaged or destroyed, without his or her fault, by a misfortune or calamity, may apply for reassessment of that property; specifying the nature of the damage or destruction required to be eligible for reassessment; and also specifying that the Assessor-Recorder may initiate the reassessment where the Assessor-Recorder determines that within the preceding 12 months taxable property located in the County was damaged or destroyed, for the purpose of providing property tax relief to residents of the City and County of San Francisco.

Ordinance No. 4-06
FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

051720 **[Limousines operating as unlicensed taxicabs; inspection of limousine waybills; criminal and administrative penalties]**
Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by: (1) repealing current Section 1165, dealing with local licensing of limousines; (2) amending Section 1078, to re-state the prohibition on limousines acting as unlicensed taxicabs within San Francisco; (3) adding a new Section 1165, pursuant to California Public Utilities Code Section 5371.4(i), to authorize police officers and the Taxi Commission Executive Director to inspect limousine waybills and make violation an infraction; (4) amending Section 1185, to correct certain misdemeanor penalties and increase infraction penalties for violation of Sections 1078 and 1165; and (5) adding Section 1187.1, to authorize imposition of administrative penalties against persons operating a motor vehicle as a taxicab without a permit.

Ordinance No. 15-06
FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

052006 **[Appropriation of Assessments Levied for Business Improvement Districts]**
Supervisor Peskin

Ordinance amending the Fiscal Year 2005-2006 Annual Appropriation Ordinance to appropriate revenues collected from special assessments for disbursement to the respective nonprofit Owners' Associations for administration of the property-based business improvement districts in San Francisco for authorized purposes.

Ordinance No. 14-06
FINALLY PASSED

Recommendations of the Rules Committee

051439 **[Campaign Finance Reform Amendments of 2005]**
Supervisor Mirkarimi

Ordinance amending the Campaign and Governmental Conduct Code by adding a new Section 1.103, amending Sections 1.100, 1.104, 1.112, 1.114, 1.120, 1.128, 1.130, 1.134, 1.144, 1.152, 1.168, and 1.170, repealing Section 1.118, and repealing Chapter 3 of Article 1, Sections 1.300, 1.305, 1.310, 1.312, 1.315 and 1.320 to: (1) make technical changes including the correction of grammatical or reference errors and the reordering of Sections; (2) conform the Campaign Finance Reform Ordinance to the adoption of Ranked Choice Voting; (3) move the Electronic Filing Ordinance from Chapter 3 of Article 1 of the Campaign and Governmental Conduct Code to the Campaign Finance Reform Ordinance; and (4) expressly set forth a statute of limitations for criminal, civil, administrative and collection actions brought under the Campaign Finance Reform Ordinance. (Ethics Commission)

Ordinance No. 3-06
FINALLY PASSED

051745 **[Settlement of Lawsuit - Dazell Mallory]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Dazell Mallory against the City and County of San Francisco for payment of $53,150, including all damages, attorneys' fees and costs; the lawsuit was filed on February 24, 2005, in San Francisco Superior Court, Case No. 438-930, entitled Dazell Mallory v. San Francisco Public Library, the City and County of San Francisco, and Does 1-100. (City Attorney)

Ordinance No. 6-06
FINALLY PASSED

051812 **[Settlement of Lawsuit - Theresa Koenig]**
Ordinance authorizing settlement of the lawsuit filed by Theresa Koenig against the City and County of San Francisco for $190,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-374; entitled Theresa Koenig, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 7-06
FINALLY PASSED

051813 **[Settlement of Lawsuit - Tania Tavasieff Foley]**
Ordinance authorizing settlement of the lawsuit filed by Tania Tavasieff Foley against the City and County of San Francisco for $75,000; the lawsuit was filed on September 7, 2004 in San Francisco Superior Court, Case No. 434-496; entitled Tania Tavasieff Foley v. City and County of San Francisco, Mortimer John Joyce, Jr., and Stephen Waichi Wong. (City Attorney)

Ordinance No. 8-06
FINALLY PASSED

051814 **[Settlement of Lawsuit - Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

Ordinance No. 9-06
FINALLY PASSED

051820 **[Settlement of proceeding before the California Public Utilities Commission regarding the December 2003 fire at PG&E's Mission Substation and the subsequent outage]**
Supervisors McGoldrick, Maxwell

Ordinance authorizing settlement of the proceeding before the California Public Utilities Commission, Investigation 05-03-011, to determine whether PG&E should be found in violation of state law and fined in connection with the December 2003 fire at the Mission Substation and the subsequent outage affecting 100,000 customers in San Francisco.

Ordinance No. 16-06
FINALLY PASSED

051877 **[Settlement of Lawsuit - Carol Renault v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Carol Renault against the City and County of San Francisco for $900,000; the lawsuit was filed on July 20, 2004 in San Francisco Superior Court, Case No. 433-157; entitled Carol Renault v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 10-06
FINALLY PASSED

051878 **[Settlement of Lawsuit - 1750 Connecticut Street, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by 1750 Connecticut Street against the City and County of San Francisco for $75,000; the lawsuit was filed on August 20, 2004 in San Francisco Superior Court, Case No. 433-992; entitled 1750 Connecticut Street, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 11-06
FINALLY PASSED

051896 **[Settlement of Lawsuit - National Center for International Schools, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by National Center for International Schools against the City and County of San Francisco for $178,667.42; the lawsuit was filed on October 28, 2004 in San Francisco Superior Court, Case No. 435-875; entitled National Center for International Schools, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 12-06
FINALLY PASSED

051899 **[Settlement of Lawsuit - Evan Weiss Arkush, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Evan Weiss Arkush against the City and County of San Francisco for $125,000; the lawsuit was filed on July 26, 2004 in San Francisco Superior Court, Case No. 432-947; entitled Evan Weiss Arkush, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 13-06
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

051458 **[Public Works Code - landmark trees, significant trees, and penalties for violations]**
Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 801 to add to the purposes; by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board and to assume new duties; amending Section 806 to allow for appeals of decisions concerning removal of street trees that are the responsibility of City departments and to extend the notice period to 30 days for removal of street trees that are the responsibility of private property owners; amending Sections 806 and 807 to require imposition of in lieu fees under specified circumstances; adding Section 810A to define significant trees and establish a regulatory program governing their removal; amending Sections 804, 807, and 808 to make conforming changes regarding significant trees; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; requiring the Office of the Legislative Analyst to prepare a report concerning financial incentives related to landmark trees; and making environmental findings.

Supervisor Ma dissented in committee.

Ordinance No. 17-06
FINALLY PASSED by the following vote:
Ayes: 7 - Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Excused: 1 - Ammiano

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

Recommendations of the Land Use Committee

050601 **[Better Neighborhoods Plus Planning and Implementation Process]**
Supervisors McGoldrick, Maxwell

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Peskin, seconded by Supervisor Dufty, moved to further amend.
Motion to adopt the amendment carried without objection.

Rereferred to Committee as amended.

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Ordinance be RE-REFERRED to the Land Use Committee. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051637 **[Subdivision Code – Planning Commission hearings on condominium conversions]**
Supervisor Daly

Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on February 3, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before March 3, 2006.

Supervisor Mirkarimi previously excused from voting on this matter.

Continued to January 24, 2006

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Mirkarimi

051822 **[Residential Housing Purchaser Protection Ordinance]**
Supervisor Daly

Ordinance amending Administrative Code Section 37.10A to require property owners to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on January 20, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before February 19, 2006.)

FINALLY PASSED by the following vote:
Ayes: 6 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma
Excused: 1 - Ammiano

Recommendations of the Rules Committee

051652 **[Office of Labor Standards Enforcement]**
Supervisors Ammiano, Mirkarimi

Ordinance adding Section 2A.23 to Chapter 2 of the San Francisco Administrative Code to establish the Office of Labor Standards Enforcement within the Department of Administrative Services to enforce the Minimum Wage Ordinance, Minimum Compensation Ordinance, Health Care Accountability Ordinance, Prevailing Wage Ordinances and carry out additional duties as established by Charter or ordinance; and amending Section 6.24 of the Administrative Code to delete language duplicative of Section 2A.23.

Ordinance No. 5-06
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051871 **[Settlement of Lawsuit - Kristen Odlaug v. City and County of San Francisco and Robert Palu]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of $400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San Francisco and Robert Palu.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

NEW BUSINESS

Recommendations of the Land Use Committee

051983 **[Changing the official sidewalk width - Turk Street]**
Supervisor Daly

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1568 to change the official sidewalk width on the southerly side of Turk Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051984 **[Changing the official sidewalk width - Market, Main, and Spear Streets]**
Supervisor Daly

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1567 to change the official sidewalk widths on the southerly side of Market Street, easterly side of Main Street, and the westerly side of Spear Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes. (Public Works Department)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

From the Land Use Committee Without Recommendation

051948 **[Street Encroachment at 365 Main Street]**

Resolution granting revocable permission to Harrison 160, LLC, for a street encroachment comprised of two (2) existing previously installed vaults that encroach into the public sidewalk right-of-way, located at 365 Main Street (Block 3745, Lot 008) and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

(Supervisor McGoldrick dissenting in committee)

Resolution No. 26-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

051852 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

The President inquired as to whether or not any member of the public wished to address the Board members.
Continued to January 24, 2006

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051853 **[Affirming the categorical exemption issued for 730 Great Highway]**
Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 24, 2006

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051854 **[Disapproving the categorical exemption issued for 730 Great Highway]**
Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 24, 2006

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051855 **[Preparation of findings related to the categorical exemption issued for 730 Great Highway]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 24, 2006

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 4:00 P.M.

052035 **[Hearing - Appeal of Categorical Exemption from Environmental Review for 1043-1045 Francisco Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department granting a Categorical Exemption from environmental review as part of a variance application (Case No. 2005.0032DV, Building Permit Application No. 2004.02.10.6005S), the proposed project at 1043-1045 Francisco Street, Lot 020 in Assessor's Block 0477. The proposal is to add a one-story horizontal addition over the existing one-story extension at the rear of the existing building. The site contains a two-story (with one-story section at the rear where the addition is proposed) over basement, two-family building at the front of the lot and a one-story, two-car garage at the rear of the lot. The project originally proposed to expand the garage, but that part of the project has been eliminated.

The lot size is 4,726 square feet, within RH-2 (Residential House, Two-Family) District and 40X Height and Bulk District. (Appellant: Stephen M. Williams).

(Filed 12/9/05; companion measure to Files 052036, 052037, 052038; District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.

Continued to January 31, 2006.

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

052036 **[Affirming the categorical exemption issued for 1043-1045 Francisco Street]**

Motion affirming the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 31, 2006

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

052037 **[Disapproving the categorical exemption issued for 1043-1045 Francisco Street]**

Motion disapproving the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 31, 2006

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

052038 **[Preparation of findings related to the appeal of the CEQA exemption determination issued for 1043-1045 Francisco Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that a project at 1043-1045 Francisco Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 31, 2006

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Ma provided the Board with an update on the Disaster Council on which she represents the Board of Supervisors.
Supervisor Sandoval provided the Board with an update on the San Francisco Employees Retirement System on which he represents the Board of Supervisors.

PUBLIC COMMENT

Nick Feldman; showed interest in an alternate attendant care call for service for disabled individuals
Peter Mendoza; showed interest in an alternate attendant care call for service for disabled individuals
Female speaker; showed interest in an alternate attendant care call for service for disabled individuals
Male speaker; showed interest in an alternate attendant care call for service for disabled individuals
Mayor's Office on Disability representative Mr. Stein; showed interest for a an alternate attendant care call for service for disabled individuals
Francisco di Costa; showed interest in an alternate attendant care call for inservice for disabled individuals
Abdullah Megaheed; expressed gratitude to the Board and expressed concernwith the Iraq War
James Chafee; showed interest in the Bond issue for the San Francisco Library
Rubin; expressed concern with issues relating to eviction notices
Walter; showed interest in general issues
Eugene Gordon Jr.; expressed concern with issues relating to human rights
John DiDonna; showed interest in the celebration of Martin Luther King Day
Omar; expressed concern with the closing of schools in San Francisco
Parent and staff member of the SFUSD; expressed concern with the closing of schools in San Francisco
Mr. Estes; expressed concern with the closing of schools in San Francisco
Mrs. Zeigler; expressed concern with the persecution of the Falun Gong practitioners
Jenny Chang; expressed concern with the persecution of the Falun Gong practitioners
Ben Duncan; expressed concern with the persecution of the Falun Gong practitioners
Katrina Marlow; expressed concern with issues relating to her reputation
Joan Livingston; expressed concern with the closing of the schools in San Francisco
Rose Chung; expressed concern with the persecution of the Falun Gong practitioners
Ace Washington; expressed concern with issues relating to the Press Room in in City Hall and issues regarding Chanel 29
George Hickley; expressed concern with the closing of San Francisco schools
Vicky Lydner; expressed concern with the closing of San Francisco schools

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060037 **[Commending Christine Quinn]**
Supervisors Ammiano, Dufty

Resolution commending New York City Council member Christine Quinn for being selected as the new Speaker of the New York City Council and for being the first woman, openly gay and Irish Speaker of the City Council of New York City.

Resolution No. 27-06
ADOPTED

060038 **[Extension of SRO Hotel Safety and Stabilization Task Force]**
Supervisors Ammiano, Daly

Resolution extending the operations of the Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force through December 31, 2006.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 28-06
ADOPTED

060039 **[Accept-expend State Grant Funds available under the Land and Water Conservation Fund Program to fund the 24th Street York Mini Park Project]**
Supervisor Ammiano

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $81,190 available under the Federal Land and Water Conservation Fund Program administered by the National Park Service under the provisions of the Land and Water Conservation Fund Act of 1965 for the development of the 24th Street York Mini Park.

Resolution No. 25-06
ADOPTED

060040 **[Accept-expend State Grant Funds available under the Youth Soccer and Recreation Development Program to fund the South of Market Area (SOMA) Park]**
Supervisor Daly

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $630,000 for the development of the South of Market Area (SOMA) Park, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.

Resolution No. 23-06
ADOPTED

060041 **[75th Anniversary of the San Francisco Golden Gloves]**
Supervisor Ma

Resolution commending the 75th anniversary of the San Francisco Golden Gloves.

Resolution No. 29-06
ADOPTED

060042 **[Accept-expend State Grant Funds available under the State Urban Parks and Healthy Communities Program to fund the Argonne Playground Project]**
Supervisor McGoldrick

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $664,428 for the development of the Argonne Playground Project, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.

Resolution No. 24-06
ADOPTED

060043 **[Adopting policies on the reimbursement of expenses and ethics training]**
Supervisor Peskin

Resolution adopting policies and procedures for the reimbursement of officers and employees for authorized expenses incurred in the performance of official duties and designating certain employees to receive ethics training specified in State law.

Resolution No. 30-06
ADOPTED

060044 **[Lee Mallory Day]**
Supervisor Peskin

Resolution declaring January 10th, 2006, Lee Mallory Day in San Francisco.

Resolution No. 31-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

060061 **[To appropriate funding for San Francisco General operations and capital projects and Laguna Honda Hospital operations]**
Mayor

Ordinance appropriating $7,401,000 in surplus revenues for salaries, fringe benefits, and capital projects at San Francisco General Hospital and $2,858,000 in surplus revenues for salaries and fringe benefits for Laguna Honda Hospital for a total of $10,259,000, appropriating $1,800,000 from PUC's Mayor's Energy Conservation Account for the SFGH Chiller and Generator project, and de-appropriating $740,000 in General Fund dollars from the SFGH Chiller and Generator capital project and re-appropriating $740,000 to the Service Building Seismic Retrofit capital project for the Public Health Department for fiscal year 2005-06.

(Fiscal impact.)
1/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060063 **[To appropriate $5,259,000 from General Fund Reserve in FY2005-06 to provide an advance of $5,259,000 to the SFUSD to assist in keeping public elementary schools open for FY2006-07]**
Supervisors Mirkarimi, Ammiano, Maxwell, Sandoval

Ordinance appropriating $5,259,000 from the General Fund Reserve in Fiscal Year 2005-2006 to provide an advance of $5,259,000 million to the San Francisco Unified School District from the City's future funding obligations to the Public Education Enrichment Fund.

(Fiscal impact.)
1/17/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled at the January 23, 2006 meeting.

060065 **[Establishing the Film Rebate Program]**
Supervisor Alioto-Pier

Ordinance amending section 57.1 to make technical amendments; section 57.4 to designate the Executive Director of the San Francisco Film Commission as the sole liaison between film companies and City departments; section 57.7 to clarify the application of Chapter 57 to certain City departments; and adding section 57.8 to establish a Film Rebate Program to rebate qualified production costs for qualified film productions.

(Fiscal impact.)
1/17/06, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 2/16/2006.

Resolutions

060062 **[Establishing Monthly Contribution Amount]**
Supervisor Elsbernd

Resolution establishing monthly contribution amount to Health Service Trust Fund.

(Fiscal impact.)
1/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060064 **[2006 Finance Corporation Equipment Program]**
Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 13 (Series 2006A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $10,750,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal impact.)
1/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060067 **[Affirming the San Francisco's City of Refuge Ordinance and condemning the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act", HR 4437]**
Supervisors Daly, Sandoval, Mirkarimi

Resolution affirming the City and County of San Francisco's City of Refuge Ordinance and its commitment to providing a safe, healthy and dignified place to live for its immigrant communities, regardless of immigration status and condemning the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act" – HR 4437.
1/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060068 **[National Blood Donor Month]**
Supervisor Ma

Resolution recognizing January 2006 as "National Blood Donor Month".
1/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060069 **[19th Avenue & Park Presidio Blvd. - Signal Upgrades]**
Supervisors Ma, Elsbernd, Mirkarimi

Resolution urging the California Department of Transportation (CalTrans) to promptly upgrade the traffic signals on 19th Avenue.
1/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060070 **[Commending the Martin Luther King-Marcus Garvey Cooperative Square Apartments]**
Supervisor Mirkarimi

Resolution commending the Martin Luther King-Marcus Garvey Cooperative Square Apartments.
1/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060071 **[Endorsing Old Mint Grant Application]**
Supervisor Peskin

Resolution endorsing the application to the California Cultural and Historical Endowment (CCHE) by the San Francisco Museum and Historical Society for CCHE Grant Funds to assist in the seismic retrofit of the historic Old Mint as a central part of the effort to rehabilitate and restore the historic building and create therein a San Francisco History Museum and supporting continued site control by the San Francisco Museum and Historical Society of the Old Mint for such purposes.
1/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060072 **[Recommending that the City and County of San Francisco adopt the Seattle Seahawks as its official football team for the duration of the 2006 playoff season]**
Supervisor Sandoval

Resolution recommending that the City and County of San Francisco adopt the Seattle Seahawks as its official football team for the duration of the 2006 playoff season.
1/17/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051580 **[Urging SFUSD Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package]**
Supervisors Sandoval, Daly

Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package.
9/13/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
9/20/05, REFERRED to City and School District Select Committee. Supervisor Maxwell requested that this matter be referred to Committee.
10/3/05, RESPONSE RECEIVED.
10/6/05, RESPONSE RECEIVED. Sent copy of memorandum from the Youth Commission to Esther Casco, Executive Assistant, Board Education
1/17/06, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Sandoval called this measure from City and School District Select Committee for Board consideration January 24, 2006
1/18/06 - Copy of Notice of Matter Called Out Of Committee and Resolution sent to San Francisco Board of Education. Notice posted at Library and at Board of Supervisors kiosk.

Requests for Hearing

060066 **[Seismic safety standards of new residential constructions]**
Supervisor Maxwell

Hearing to discuss the seismic safety standards of new residential constructions.
1/17/06, RECEIVED AND ASSIGNED to Land Use Committee.

060073 **[Hearing - S.F. Unified School District Superintendent Severance Package]**
Hearing to consider a proposed resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package. (Clerk of the Board)
1/17/06, ASSIGNED to Board of Supervisors.

PROPOSED ORDINANCES

060006 **[Settlement of Claims - Pacific Gas & Electric Company]**

Ordinance authorizing settlement of a claim filed by Pacific Gas & Electric Company (PG&E) against the City and County of San Francisco (City) and a complaint filed by the City against PG&E. PG&E's claim was filed on April 9, 2004, in the United States Bankruptcy Court and amended on June 1 and June 11, 2004, Case No. 01-30923-DM, Adversary Proceeding No. 04-3071. The City's complaint against PG&E was filed on June 29, 2005 at the Federal Energy Regulatory Commission, Docket No. EL05-133-000.

1/9/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

060004 **[Interdepartmental jurisdictional transfer of property near Islais Creek]**

Resolution transferring jurisdiction of the real property identified as portions of Assessor's Parcel Nos. 4352/001 and 4382/005 from the Public Utilities Commission to the Municipal Transportation Agency as part of the new Islais Creek Motor Coach Operations and Maintenance Facility; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

1/5/06, RECEIVED AND ASSIGNED to Land Use Committee.

060005 **[Contract funds to support research on HIV/AIDS in under-researched populations]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter into an agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of up to $74,920 in order to support research on HIV/AIDS in under-researched populations in California, and to add one 0.5 position funded under this agreement; for the period of January 1, 2006, to December 31, 2006. (Public Health Department)

1/4/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the process of the installation of the pedestrian pass at the median of Lincoln and 9th Avenue.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the procedures of permitting of trees and planter boxes in front of a residential establishment and the annual assessment of the planter box.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal of:
· Green box at the southeast corner of Oak Street and Steiner Street
· Mailbox at the southeast corner of Oak Street and Fillmore Street
· Green box at the northeast corner of Oak Street and Webster Street
· Light pole at the northeast corner of Oak Street and Webster Street
· Green box at the northeast corner of Fell Street and Buchanan Street
· Telephone pole at the northeast corner of Fell Street and Buchanan Street
· Green box at the northeast corner of Buchanan Street and Linden Street

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the condition of the trees on 800 block of Haight Street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal at the address of 750 Oak Street and 776 Oak Street.

From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring:

The Golden Gate National Recreation Area (GGNRA) is proposing to restrict recreation by people and pets on 60% of all parklands in the City. Can the City pressure the GGNRA to institute the current Court mandated 1979 Pet Policy as the Section Seven Special Regulation requires?

Instead of instituting the 1979 Pet Policy, the GGNRA has proposed "Negotiated Rulemaking", and the City is not participating in the process. Can you describe the rules that govern "Negotiated Rulemaking", and what rights the City and GGNRA have in relation to it?

The deeds, which transferred property to the GGNRA, contain reversion clauses for these properties. If the GGNRA violates the mandate in the property deed that requires that recreation be the primary use for GGNRA properties, can the City reclaim the deeds?

From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation creating a San Francisco Public School Citizens Blue Ribbon Task Force - to specifically develop a master plan to address declining enrollment and the concomitant issue of school closures, mergers, and relocation, as well as methods to improve the closure process. The Joint Task Force would be appointed by the Mayor, Board of Supervisors and the Board of Education, with appointment composition including, but not limited to: parents, union labor/teachers, civic/civil rights leaders, business community, youth, public safety, Planning Department, and City Controller. Staff support would be required.

From: Supervisor Maxwell
To: Director, Planning Department
Requesting/Inquiring: Supervisor Maxwell directs the Planning Department to provide a report with the following information no later than Friday, February 3, 2006. The Plan Areas are defined as Mission, East SOMA, Potrero/Showplace Square, Central Waterfront.

1. For each Plan Area, provide a list of the housing projects that have submitted applications to the Planning Department and are awaiting review/approval.

· For each project, provide the date on which the application was filed with the Planning Department.
· For each project, provide the proposed unit mix.
· For each project, provide the proposed number of market rate units and the proposed number of affordable units.
· For those projects that filed applications prior to January 1, 2006 and therefore would be exempt from restrictions on the demolition of PDR buildings, for each project provide the number of square feet of existing building space proposed to be demolished and the square feet of proposed PDR space to be rebuilt.
· Provide an overlay for the department's maps for each Plan Area that shows the locations of each proposed housing project.

2. Using the most recent data available (such as the Dun & Bradstreet business database), provide the number of businesses and jobs that currently exist in areas that are designated under the Department's proposal for new housing development, those areas designated as either Neighborhood Commercial or Urban Mixed Use zones. Provide this information for each Plan Area, and provide by business category, such as SIC code.

3. For each Plan Area, provide the average parcel size.

4. Provide the Planning Department's definition of bioscience and digital media. Based upon these definitions, would the Planning Department allow these uses to locate into the Employment & Business Development and Urban Mixed Use zones under the Department's current interim controls proposal?

5. Describe how the Planning Department is implementing the recommendations of the Bioscience Task Force.

6. From 1995 to present, provide the amount of land in the industrially zoned areas of San Francisco that has been converted to either housing or live/work office uses.

From: Supervisor Elsbernd
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of installing a stop sign at Miraloma Way and Yerba Buena Boulevard.

In Memoriams

Sean O'Flaherty Fahey - Supervisors Ma, Dufty, and Daly
Col. Guillermo "Willy" Boayes - Supervisor Daly
David Mantel - Supervisor Dufty
Gloria M. Root - Supervisor Dufty
Charlie Goodman - Supervisor Sandoval

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:09 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 7, 2006.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

MAR 10 2006

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, January 24, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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124/06

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbemd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Ammiano and Alioto-Pier were noted absent.

There was a quorum.

Supervisor Ammiano was noted present at 2:06 p.m.
Supervisor Alioto-Pier was previously excused from attending the meeting for Jury Duty service.

AGENDA CHANGES

COMMUNICATIONS

Gloria L. Young, Clerk of the Board, informed the Board she was in receipt of a communication from the Mayor vetoing File No. 051822 legislation relating to Residential Housing Purchaser Protection Ordinance. The matter will be on the January 31, 2006 Board agenda for consideration.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051942 **[Amendment to Paratransit Broker Agreement]**
Resolution approving Amendment No. 6 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to lease up to 20 accessible vans to the Contractor to be subleased to Lift Van/ADA Access service providers participating in the City's Paratransit Program. (Municipal Transportation Agency)

Resolution No. 40-06
ADOPTED

052045 **[Proposition J Certification, Status Offender Shelter and Intake Services]**
Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees. (Juvenile Probation Department)

Resolution No. 37-06
ADOPTED

Recommendations of the Land Use Committee

051983 **[Changing the official sidewalk width - Turk Street]**
Supervisor Daly

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1568 to change the official sidewalk width on the southerly side of Turk Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Ordinance No. 19-06
FINALLY PASSED

051984 **[Changing the official sidewalk width - Market, Main, and Spear Streets]**
Supervisor Daly

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1567 to change the official sidewalk widths on the southerly side of Market Street, easterly side of Main Street, and the westerly side of Spear Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes. (Public Works Department)

Supervisor Daly requested to be added as sponsor.
Ordinance No. 18-06
FINALLY PASSED

Recommendations of the Rules Committee

051871 **[Settlement of Lawsuit - Kristen Odlaug v. City and County of San Francisco and Robert Palu]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of $400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San Francisco and Robert Palu.

Ordinance No. 20-06
FINALLY PASSED

052043 **[Settlement of Lawsuit -Frank Euphrate, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Frank Euphrate against the City and County of San Francisco for $925,000; the lawsuit was filed on September 10, 2003 in San Francisco Superior Court, Case No. 424-288; entitled Frank Euphrate, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051980 **[Unlitigated Claim against Pacific Gas and Electric Company]**

Resolution authorizing settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for $615,222.78 for damages caused by power outage of December 20-21, 2003. (City Attorney)

Resolution No. 39-06

ADOPTED

051986 **[Settlement of Claim - AMPCO System Parking]**

Resolution approving the settlement of the unlitigated claim for Parking Tax Refund filed by AMPCO System Parking against San Francisco for $93,134.80. (City Attorney)

Resolution No. 38-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

060101 **[Adopting findings related to affirming the CEQA exemption determination issued for a proposed ordinance regulating off-street parking in C-3 zoning districts]**

Motion adopting findings affirming the determination by the Planning Department that the proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-10

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

060059 **[Motion adopting findings related to the categorical exemption issued for 733 27th Avenue]**
Motion adopting findings related to the determination by the Planning Department that the 733 27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

(Companion measure to Files 051755, 051756, 051757, 051758.)

Motion No. M06-11

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the City Operations and Neighborhood Services Committee

051903 **[Paratransit Reimbursement – Taxi Meter Rates]**
Supervisor Alioto-Pier

Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratransit program to December 31, 2006.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Land Use Committee

051637 **[Subdivision Code – Planning Commission hearings on condominium conversions]**
Supervisor Daly

Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on February 3, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before March 3, 2006.

Supervisor Mirkarimi previously excused from voting on this matter.

FINALLY PASSED by the following vote:
Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Dufty, Elsbernd, Ma
Excused: 2 - Alioto-Pier, Mirkarimi

NEW BUSINESS

Recommendations of the Rules Committee

051539 **[Confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority]**
Resolution confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority as the representative of the Municipal Transportation Agency Board of Directors, effective August 16, 2005. (Municipal Transportation Agency)

Resolution No. 42-06
ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi
Excused: 1 - Alioto-Pier

051898 **[Appointment - Local Homeless Coordinating Board]**
Resolution appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived. (Controller)

Resolution No. 41-06
ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi
Excused: 1 - Alioto-Pier

CALLED FROM THE CITY AND SCHOOL DISTRICT SELECT COMMITTEE

Board of Supervisors Sitting as a Committee of the Whole

060073 **[Hearing - S.F. Unified School District Superintendent Severance Package]**
Hearing to consider a proposed resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package. (Clerk of the Board)

President inquired as to whether or not any member of the public wished to address the Board.
Male Speaker; opposed to the resolution requesting the SFUSD Superintendent to forego her severance package
Amos Brown, former Supervisor; opposed to the resolution requesting the SFUSD Superintendent to forego her severance package
Pastor; opposed to the resolution requesting the SFUSD Superintendent to forego her severance package
Charlie Walker; opposed to the resolution requesting the SFUSD Superintendent to forego her severance package
The President of the Board declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

051580 **[Urging SFUSD Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package]**
Supervisors Sandoval, Daly

Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 32-06

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Daly, Elsbernd, McGoldrick, Peskin, Sandoval
Noes: 4 - Dufty, Ma, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ma, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ma welcomed, introduced and presented Certificate of Honors to the winners of the poster for Center for Independent Living Resource Center.

SPECIAL ORDER 4:00 P.M.

051852 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

The President inquired as to whether or not any member of the public wished to address the Board.

Continued to February 7, 2006

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051853 **[Affirming the categorical exemption issued for 730 Great Highway]**

Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 7, 2006

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051854 **[Disapproving the categorical exemption issued for 730 Great Highway]**

Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 7, 2006

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051855 **[Preparation of findings related to the categorical exemption issued for 730 Great Highway]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 7, 2006

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

051936 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 2660 Harrison Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated November 3, 2005, File Number 2004.0672E, for the proposed development project at 2660 Harrison Street.

(Filed 11/23/05; companion measure to Files 051936, 051937, 051938, 051939, District 9.)

The President inquired as to whether or not any member of the public wished to address the Board.

Continued to February 7, 2006

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051937 **[Affirming adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

Continued to February 7, 2006

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051938 **[Reversing adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

Continued to February 7, 2006

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051939 **[Preparation of findings to reverse adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

Continued to February 7, 2006

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

051991 **[Public Hearing - Conditional Use Appeal for 2660 Harrison Street]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17139 dated November 3, 2005, approving Conditional Use Application No. 2004.0672ECV, subject to certain conditions, to allow the construction of dwelling units within a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a) in order to demolish an existing vacant commercial building and construct two new four story over garage buildings containing a total of sixty-eight dwelling units and sixty-eight off-street parking spaces on a property within a C-M (Heavy Commercial) zoning district, the 'Housing/Mixed Use' sub-area of the Eastern Neighborhoods planning area as set forth in Planning Commission Resolution Number 16727, and a 40-X Height and Bulk District, located at 2660 Harrison Street, on the west side between 22nd and 23rd Streets. (Appellant: Sue Hestor, attorney for Nick Pagoulatos/Mission Anti-Displacement; subscribed by Supervisors Tom Ammiano, Chris Daly, Aaron Peskin, Sophie Maxwell and Jake McGoldrick.)

(Filed 12/5/05; companion measure to Files 051992, 051993, 051994; District 9.)

Continued to February 7, 2006

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051992 **[Approving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**

Motion approving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to February 7, 2006

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051993 **[Disapproving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street. (Clerk of the Board)

Continued to February 7, 2006

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051994 **[Preparation of findings related to the Conditional Use Appeal for 2660 Harrison Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to February 7, 2006

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

051142 **[Construction and Demolition Debris Recovery]**

Mayor, Supervisors Ma, Sandoval

Ordinance amending the Building Code by amending Chapter 13 of the Building Code to change the title of the Chapter from "Energy Conservation" to "Resource Conservation" and adding Chapter 13B entitled "Construction and Demolition Debris Recovery Program;" amending the Health Code by adding Sections 288 and 288.1; and amending the Environment Code by adding Chapter 14, entitled Construction and Demolition Debris Recovery Ordinance, to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris generated in San Francisco by prohibiting disposal of such debris with garbage; imposing requirements and conditions in building permits; establishing a program to register construction and demolition debris transporters and processing facilities; and establishing enforcement mechanisms including penalties; amending the Police Code Section 39-1 to implement the new program; setting an operative date; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

051818 **[Green Business Program]**

Supervisors Maxwell, Sandoval

Ordinance amending the Environment Code by adding Chapter 15 to authorize a City-wide Green Business Program and amending Business and Tax Regulations Code Section 906.2 to require a clean technology business to be a recognized Green Business in order to be eligible for a payroll tax exclusion under that section.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Alioto-Pier was noted present at 3:15 p.m.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Rodney; showed interest in approving no-smoking in bus shelters and banning medical marijuana dispensaries
James Chaffee; expressed concern with Friends and Foundation of the SF Library
Walter; showed interest in general issues
Eugene Gordon, Jr. expressed concern with issues relating to language adaptive visuals
Walter Turner; expressed concern with naming Seattle Seahawks as San Francisco's official football team for 2006 playoff season
Ida Stranton; expressed concern with the merging of the John Swett Elementary School
Ann Connery; expressed concern with the merging of the John Swett Elementary School
Junta Wilson; expressed concern with the merging of the John Swett Elementary School
Abduallah Megaheed; expressed concern with issues relating to closing schools
Rata Daly; expressed concern with the merging of the John Swett Elementary School
Jeremy Jeffries;expressed concern with the merging of the John Swett Elementary School
Brett Middler; expressed concern with issues relating to the Falun Gong practitioners
Dr. Charles Lee; expressed gratitude to the Board for signing a resolution supporting him while in prison and expressed concern with issues relating to the Falun Gong practitioners
Sherry Wong; expressed gratitude to the Board for signing a resolution supporting Dr. Lee while in prison and expressed concern with issues relating to the Falun Gong practitioners
Stephen Dreyfus; expressed concern with street artist performers permits and process
Eva; expressed concern with street artist performers permits and process
Densel Adams; expressed concern with street artist performers permits and process
Michael Adams; expressed concern with street artist performers permits and process
Rubin David Goodman; expressed concerned with issues relating to the Empress Hotel and evictions
Michael; expressed concern with issues relating to Public Access TV (Channel 29)
Ace Washington; expressed concern with issues relating to Public Access TV (Channel 29) and the availability of the press room in City Hall
Ron Martin; expressed concern with naming Seattle Seahawks as San Francisco's official football team for 2006 playoff season
Female speaker; expressed concern with issues relating to the Falun Gong practitioners
Gil Criswell; expressed concern with issues relating to PUC and street light outages
Steve Zeltzer; expressed concern with issues relating to Public Access TV (Channel 29)
Gypsy; employee of Public Access TV, showed support of Public Access TV (Channel 29)
David Pap; producer of Public Access TV; showed support of Public Access TV (Channel 29)
Daniel; expressed concern with the merging of the John Swett Elementary School
Bonnie Zeigler; expressed concern with issues relating to Public Access TV (Channel 29)
Diana Gear; producer at Public Access TV; expressed concern with issues relating to Public Access TV (Channel 29)
C. Toya; producer at Public Access TV; expressed concern with issues relating to Public Access TV (Channel 29)

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060067 **[Affirming the San Francisco's City of Refuge Ordinance and condemning the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act", HR 4437]**
Supervisors Daly, Sandoval, Mirkarimi

Resolution affirming the City and County of San Francisco's City of Refuge Ordinance and its commitment to providing a safe, healthy and dignified place to live for its immigrant communities, regardless of immigration status and condemning the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act" – HR 4437.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Resolution No. 33-06
ADOPTED

060068 **[National Blood Donor Month]**
Supervisor Ma

Resolution recognizing January 2006 as "National Blood Donor Month".

Resolution No. 36-06
ADOPTED

060070 **[Commending the Martin Luther King-Marcus Garvey Cooperative Square Apartments]**
Supervisor Mirkarimi

Resolution commending the Martin Luther King-Marcus Garvey Cooperative Square Apartments.

Resolution No. 34-06
ADOPTED

060071 **[Endorsing Old Mint Grant Application]**
Supervisor Peskin

Resolution endorsing the application to the California Cultural and Historical Endowment (CCHE) by the San Francisco Museum and Historical Society for CCHE Grant Funds to assist in the seismic retrofit of the historic Old Mint as a central part of the effort to rehabilitate and restore the historic building and create therein a San Francisco History Museum and supporting continued site control by the San Francisco Museum and Historical Society of the Old Mint for such purposes.

Resolution No. 65-06
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately

060069 **[19th Avenue & Park Presidio Blvd. - Signal Upgrades]**
Supervisors Ma, Elsbernd, Mirkarimi

Resolution urging the California Department of Transportation (CalTrans) to promptly upgrade the traffic signals on 19th Avenue.

Amended on page 1, line 4, after "19th Avenue" by inserting "Park Presidio Blvd." and on page 2, line 5, after "19th Avenue" by inserting "Park Presidio Blvd." New Title.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution urging the California Department of Transportation (CalTrans) to promptly upgrade the traffic signals on 19th Avenue and Park Presidio Blvd.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Resolution No. 35-06

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately

060072 **[Recommending that the City and County of San Francisco adopt the Seattle Seahawks as its official football team for the duration of the 2006 playoff season]**
Supervisor Sandoval

Resolution recommending that the City and County of San Francisco adopt the Seattle Seahawks as its official football team for the duration of the 2006 playoff season.

REFERRED to the City Operations and Neighborhood Services Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

060074 **[Reenacting a Disadvantaged Business Enterprise Program]**
Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
1/24/06, ASSIGNED to Board of Supervisors.

060076 **[To appropriate $5,216,754 to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for DPW for Fiscal Year 2005-06]**
Mayor

Ordinance appropriating $5,216,754 of Fiscal Year 2005-2006 State Traffic Congestion Relief Funds to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)
1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060077 **[Raising taxi fares and the cap on gate fees; re-instating the cap on taxicab lease fees; providing for biennial review of the lease fee cap]**
Supervisor Ma

Ordinance amending the San Francisco Police Code by amending Sections 1135, 1135.2, 1135.2, and 1137, to: (1) raise taxi fares from $2.85 to $3.05 for the first fifth of a mile, from $.45 to $.50 for each additional fifth of a mile, and from $.45 to $.50 for each minute of waiting time; (2) raise the cap on taxicab gate fees from $85.00 to $94.00 per 10-hour shift, and eliminate the second-tier gate cap for certain taxi companies; (3) re-instate the cap on taxicab lease fees at $1,800 per month; and (4) provide that the Controller's biennial review of taxicab rates and caps shall include a review of the lease fee cap; and setting an operative date.
1/24/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/23/2006.
01/31/06 - Referred to Taxi Commission and Small Business Commission. Referred Planning for environmental review.

060078 **[Capital Expenditure Plan; timeline amendments for initial submission and approval]**
Supervisor Elsbernd

Ordinance amending Administrative Code Section 3.20 to provide that the initial ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors by May 1, 2006 and that the Mayor and the Board of Supervisors shall review, update, amend and adopt such plan by resolution by August 1, 2006.
1/24/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/23/2006.

060081 **[Minor Sidewalk Encroachments - Partial repeal of public right-of-way occupancy assessment fee]**
Supervisors Alioto-Pier, Dufty, Maxwell

Ordinance amending Public Works Code Section 723.2 to repeal the public right-of-way occupancy assessment fee for minor sidewalk encroachments; requesting the Department of Public Works to prepare and submit to the Board a report describing the number and types of minor sidewalk encroachment permits; and making repeal of the fee retroactive to August 29, 2005.
1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 01/31/06 - Referred to Public Works.

060083 **[Public Works Code – enclosure of garbage receptacles]**
Supervisor McGoldrick

Ordinance amending Public Works Code Section 170 to require replacement of garbage receptacles after collection into an enclosed area or other area the blocks views of the receptacle from the public right-of-way; and making environmental findings.
1/24/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/23/2006.

060084 **[Amending the requirements of the Inclusionary Affordable Housing Program]**
Supervisors Maxwell, Mirkarimi, McGoldrick

Ordinance amending Planning Code Sections 315.2, 315.3, 315.4, 315.5, 315.6, and 315.8 related to the Inclusionary Affordable Housing Program to provide that the amendments apply to any housing project that has not received a first site or building permit by the effective date of this legislation; to provide for mandatory lotteries to market new inclusionary units and the maintenance of a list generated from a lottery for units that become available; to require a project sponsor that elects an alternative to providing on-site inclusionary housing to make its election at the time of project approval; to allow project sponsors to use California Debt Limit Allocation Committee (CDLAC) tax-exempt bonds to finance inclusionary units under certain circumstances; to build all off-site inclusionary units within one mile of the principal project and to offer those units as rental housing or as ownership housing affordable to households earning no more than 80% of median income; requiring the Mayor's Office of Housing to adjust the in lieu fee annually and no later than July 1 and to report the adjustment to the Board of Supervisors; requiring the Mayor's Office of Housing to evaluate its monitoring procedures and those of the San Francisco Redevelopment Agency with the goal of establishing one monitoring system for all inclusionary units in the City and County of San Francisco; requiring the Planning Department to submit a completed impact study to the Board of Supervisors and Planning Commission no later than July 1, 2006, requiring that the Planning Department form a Technical Advisory Committee to assist in the impact study; and making findings including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
1/24/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/23/2006.

060086 **[Providing for public notice of installation of community safety cameras]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Chapter 19, Sections 19.1 through 19.8, to regulate the installation of community safety cameras, prescribe a notification and approval process for the installation of cameras, and establish protocols for oversight and access to video recordings.
1/24/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/23/2006.

060087 **[Administrative Code Revision: Health Service System]**
Supervisors Elsbernd, Ammiano

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)
1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060106 **[To appropriate funding to increase security staff at the Asian Art Museum]**
Supervisor Ma

Ordinance appropriating $67,325 in salaries and $22,468 in related fringe benefits to support four additional museum security guards at the Asian Art Museum.
1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060107 **[Child Product Safety]**
Supervisors Ma, Maxwell, Alioto-Pier

Draft Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances.
1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060050 **[Dissolving the Drug Abuse Advisory Board and the Citywide Alcoholism Advisory Board]**
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by repealing Sections 15.17 and 15.19, to dissolve the Drug Abuse Advisory Board and the Citywide Alcoholism Advisory Board.
1/24/06, RECEIVED AND ASSIGNED to Rules Committee.

060032 **[Exempting certain medical cannabis dispensaries from the requirement that all new dispensaries be located not less than 1000 feet from a school, community facility, or recreation building]**
Supervisors Mirkarimi, Ma

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to exempt certain medical cannabis dispensaries from the requirement that all medical cannabis dispensaries that commenced operation after April 1, 2005 be located not less than 1000 feet from the parcel containing a school, community facility, or recreation building; amending the San Francisco Health Code by amending Section 3304 to conform to the San Francisco Fire Code and Section 3305 to provide for referral of permit applications to the Department of Building Inspection; and making environmental findings and findings of consistency with the priority planning policies of Planning Code Section 101.1 and the General Plan.
1/10/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/9/2006.
1/18/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.
1/24/06, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing same title.
1/24/06, ASSIGNED to Land Use Committee.

050298 **[Repealing Ordinance Number 72-04 Conditionally Designating 690 Market as a Landmark]**
Supervisor Peskin

Ordinance Repealing Ordinance Number 72-04 Conditionally Designating 690 Market, the Chronicle Building, As Landmark No. 243 under Article 10 of the Planning Code.

2/22/05, RECEIVED AND ASSIGNED to Rules Committee.

2/25/05, REFERRED TO DEPARTMENT. Referred to Planning Department and Landmarks Preservation Advisory Board for review and recommendation.

3/3/05, RESPONSE RECEIVED. Exempt from CEQA Guidelines Section 15060(c)(2); non-physical exemption.

10/13/05, FILED PURSUANT TO RULE 5.37.

1/24/06, REACTIVATED PURSUANT TO RULE 5.23. Supervsor Peskin requested this matter be reactivated and placed on the Budget and Finance pending list.

1/24/06, ASSIGNED to Budget and Finance Committee.

Resolutions

060079 **[Lease of Real Property at One South Van Ness Avenue]**
Mayor

Resolution authorizing the lease of approximately 66,565 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency and the City and County of San Francisco's 311 Call Center.

(Fiscal impact.)

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060080 **[Waterline Relocation Agreement with Mills Peninsula Health Services]**
Supervisor Dufty

Resolution approving and authorizing the execution and delivery of a Waterline Relocation Agreement with Mills Peninsula Health Services; authorizing the exchange of real property interests in the City of Burlingame, San Mateo County following the completion of construction of a new water pipeline; adopting findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and adopting environmental findings.

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060085 **[Hunters Point Shoreline Interim Controls]**
Supervisors Maxwell, McGoldrick, Alioto-Pier

Resolution adopting interim zoning controls in the Hunters Point Shoreline area for a period of eighteen (18) months that would, within the currently zoned M-1 and M-2 areas generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay, permit new housing as an accessory use to certain designated uses, or if it is contained within a permitted institutional use, or with a required ratio of four (4) square feet of permitted non-residential use for every one (1) square foot of residential space built; that would, within the currently zoned NC-2 area abutting Innes Avenue and Hunters Point Boulevard between Jennings Street and Earl Street, permit new housing on other than the ground floor and in conjunction with non-residential development; that would require a conditional use permit for all new construction or change in use in the M-1 and M-2 zoning districts and for all uses that include new housing in the NC-2 zoning district, and adopting findings.
1/24/06, RECEIVED AND ASSIGNED to Land Use Committee.

060088 **[Temporary "Street Closure to Vehicular Traffic" on O'Farrell St. between Steiner and Fillmore]**
Supervisor Mirkarimi

Resolution enacting temporary "Street Closure to Vehicular Traffic" regulation on O'Farrell Street between Steiner Street and Fillmore Street from 7 A.M. to 2 P.M. on every Saturday between April 29, 2006 and November 18, 2006.
1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060108 **[Parking Regulations]**
Supervisor Mirkarimi

Resolution enacting and rescinding parking regulations at various locations.

TOW AWAY, NO STOPPING ANYTIME - ESTABLISH
Scott Street, west side, from Fell Street to Oak Street.

(1/18/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060109 **[Traffic Regulations]**
Supervisor Mirkarimi

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANE - ESTABLISH
Scott Street, northbound, from Haight Street to Oak Street.

LEFT TURN BICYCLE LANE - ESTABLISH
Scott Street, northbound, from Oak Street to Fell Street.

NO TURN ON RED - ESTABLISH
Scott Street, northbound, at Oak Street.

(1/17/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060110 **[Commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition]**
Supervisors Dufty, Maxwell, Ammiano, Daly

Resolution commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition for their leadership in convening the Black Church Summit and in seeking equality for lesbian, gay, bisexual and transgendered members of the African-American community.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060111 **[Commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department]**
Supervisors Dufty, Elsbernd

Resolution commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060112 **[Commending Lost in the Fog and owner Harry J. Aleo for winning the Eclipse Award as the year's champion sprinter]**
Supervisor Dufty

Resolution commending Lost in the Fog and owner Harry J. Aleo for winning the Eclipse Award as the 2006 champion sprinter in the United States.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060113 **[Supporting the Musicians of the San Francisco Symphony]**
Supervisors Ma, Ammiano

Resolution supporting the Musicians of the San Francisco Symphony in their effort to be compensated at a level comparable to what musicians in other leading orchestras receive -- not more and not less.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060115 **[Supporting Immigrant and Human Rights]**
Supervisors Maxwell, Peskin, Daly

Resolution affirming the City and County of San Francisco's support for immigrant and human rights in the face of growing border vigilantism.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060116 **[Recognizing the month of February as Black History Month]**
Supervisors Maxwell, Dufty

Resolution recognizing the month of February as Black History Month.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060117 **[Accept-Expend Regional Grant - Department of the Environment]**
Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $430,500 from the Bay Area Air Quality Management District to retrofit diesel engines in forty-one (41) Heavy Duty Vehicles (HDV) with diesel emission control equipment.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060118 **[Approval of Port Lease for Living Classroom at Heron's Head Park]**
Supervisor Maxwell

Resolution approving the Lease between the San Francisco Port Commission and Literacy for Environmental Justice, a non-profit organization, for the Living Classroom Project, located at Heron's Head Park, for a total term of ten years.
1/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060120 **[Blue Diamond Growers]**
Supervisors McGoldrick, Dufty, Mirkarimi, Ma

Resolution supporting the workers of Blue Diamond Growers and their efforts to join the International Longshore and Warehouse Union Local 17 (ILWU) and condemning Blue Diamond for waging an aggressive anti-union campaign and violating the National Labor Relations Act.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060121 **[Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]**
Supervisor McGoldrick

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060122 **[Zoning - Extension of Planning Commission Review Period]**
Supervisor Mirkarimi

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Zoning Map in order to reclassify both sides of the 600 Block of Haight Street to NC-2 (Small-Scale Neighborhood Commercial District).
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060123 **[Opposing the Closure to John Swett Alternative School]**
Supervisors Mirkarimi, Daly, Ammiano

Resolution opposing San Francisco's Board of Education's decision to close the John Swett Alternative School.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060124 **[Welcoming Qantas Airways to San Francisco]**
Supervisors Peskin, Elsbernd, Dufty

Resolution commending Qantas Airways on new service to San Francisco International Airport, starting Mach 29, 2006 and welcoming the new airline to San Francisco.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060125 **[1906 Great Earthquake and Fire Expo Endorsement]**
Supervisors Peskin, Dufty, Ma

Resolution endorsing the San Francisco Fire Department and Historical Society 1906 Great Earthquake and Fire Expo and declaring said Expo an official event of the City's Centennial observances.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

060114 **[Emergency Disadvantaged Business Enterprise Program - January 31, 2006, Committee of the Whole]**
Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on January 31, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060075 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)
1/24/06, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on January 31, 2006, at 4:00 p.m.

060082 **[Public Hearing - Resolution amending the Articles of Formation of the South of Market Project Area Committee]**
Hearing to consider a proposed resolution amending the Articles of Formation of the South of Market Project Area Committee to (1) require new elections and (2) add a representative who shall be a parent of a student of the Bessie-Carmichael School as a category of membership thereof following the adoption of the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area. (Clerk of the Board)
1/24/06, ASSIGNED to Board of Supervisors. Companion measure to File 052022.

060089 **[Crime Stoppers]**
Supervisor Alioto-Pier

Hearing on the Crime Stoppers program.
1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060090 **[Status of San Francisco's Economic Strategy]**
Supervisor Alioto-Pier

Hearing on the status of San Francisco's Economic Strategy to include: (1) a presentation of the Economic Strategy plan, (2) explanation of the process used in formulating goals, (3) the public outreach strategy, (4) types of data analysis to be performed, (5) the relationship of strategy to Prop I and the timeline.
1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060091 **[Controller's Six Month Report]**
Supervisor Daly

Hearing to consider the Controller's Six Month Report.
1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled at the February 8, 2006 meeting.

060092 **[Impact of impending school closures, police department reassignments, and gang-related activity]**
Supervisor Dufty

Hearing to examine the impact of impending school closures and reassignments on the police department and gang-related activity.
1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060093 **[Drinking Water Services for City Departments]**
Supervisor McGoldrick

Request for hearing on: (1) the status of the reduction of free bottled water services for City Departments; (2) the City's latest contract with Danone for its drinking water services, and (3) the amount of cost saving generated since FY 2004-05.
1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060103 **[MUNI Fare Collection Problems]**
Supervisor McGoldrick

Hearing to discuss issues regarding MUNI fare collection problems.
1/24/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this matter be referred to Government Audit and Oversight Committee.

060104 **[Redevelopment Plan for Treasure Island]**
Supervisor Maxwell

Hearing for the Treasure Island Development Authority to provide an update on the redevelopment plan for Treasure Island.
1/24/06, RECEIVED AND ASSIGNED to Land Use Committee. Sponsor requests this item be referred to Land Use Committee.

060105 **[Update from Mayor's Office on efforts to stem community violence]**
Supervisor Maxwell

Hearing regarding update from Mayor's Office on efforts to stem community violence.
1/24/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence. Sponsor requests this item be referred to select Committee on Ending Gun and Gang Violence.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

060048 **[Public Auction]**
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)
1/10/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060049 **[Contract funds to receive reimbursement for children enrolled in the Healthy Kids insurance program] Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter into a two year agreement with the California Managed Risk Medical Insurance Board (MRMIB) to receive reimbursement for children enrolled in the Healthy Kids insurance program, and expend funds in the amount of up to $4,378,351; for the period of July 1, 2005, through June 30, 2007. (Public Health Department)

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 1/23/06, Supervisor Dufty requested to be added as sponsor.

060054 **[MUNI Operator restrooms at various locations]**

Resolution granting revocable permission to Municipal Transportation Agency (MTA), to occupy a portion of the public right-of-way to install and maintain one (1) MUNI Operator Restroom at each of the following locations: within an existing traffic island on Geneva Avenue at Munich Street; on the westerly sidewalk of Main Street, southerly of Howard Street; on the easterly sidewalk of Main Street, northerly of Mission Street, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

1/12/06, RECEIVED AND ASSIGNED to Land Use Committee.

060056 **[Contract funds to provide evaluations for the SAGE Health Education and Prevention Services Project] Supervisors Dufty, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with the SAGE Project, Inc., the primary contractor, and expend funds in the amount of $205,000 to provide local process and outcome evaluations for the SAGE Health Education and Prevention Services Project for the period of September 30, 2005, to September 29, 2010. (Public Health Department)

1/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 1/23/06, Supervisor Dufty requested to be added as sponsor.

060058 **[Contract approval - Municipal Transportation Quality Review]**

Resolution approving the award and execution of San Francisco Municipal Railway Contract Number CCO 05-914, Municipal Quality Review, to Nelson\Nygaard Consulting Associates, to conduct the Quality Review required under Charter Section 8A.107, for a total contract amount not to exceed $50,000 and for a term of two years, with an option to extend up to an additional two years to cover the next review period. (Municipal Transportation Agency)

1/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the process of the installation of the pedestrian pass at the median of Lincoln and 9th Avenue.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the procedures of permitting of trees and planter boxes in front of a residential establishment and the annual assessment of the planter box.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal of:
- *Green box at the southeast corner of Oak Street and Steiner Street*
- *Mailbox at the southeast corner of Oak Street and Fillmore Street*
- *Green box at the northeast corner of Oak Street and Webster Street*
- *Light pole at the northeast corner of Oak Street and Webster Street*
- *Green box at the northeast corner of Fell Street and Buchanan Street*
- *Telephone pole at the northeast corner of Fell Street and Buchanan Street*
- *Green box at the northeast corner of Buchanan Street and Linden Street*

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the condition of the trees on the 800 block of Haight Street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal at the address of 750 Oak Street and 776 Oak Street.

From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring:

The Golden Gate National Recreation Area (GGNRA) is proposing to restrict recreation by people and pets on 60% of all parklands in the City. Can the City pressure the GGNRA to institute the current Court mandated 1979 Pet Policy as the Section Seven Special Regulation requires?

Instead of instituting the 1979 Pet Policy, the GGNRA has proposed "Negotiated Rulemaking", and the City is not participating in the process. Can you describe the rules that govern "Negotiated Rulemaking", and what rights the City and GGNRA have in relation to it?

The deeds, which transferred property to the GGNRA, contain reversion clauses for these properties. If the GGNRA violates the mandate in the property deed that requires that recreation be the primary use for GGNRA properties, can the City reclaim the deeds?

From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation creating a San Francisco Public School Citizens Blue Ribbon Task Force - to specifically develop a master plan to address declining enrollment and the concomitant issue of school closures, mergers, and relocation, as well as methods to improve the closure process. The Joint Task Force would be appointed by the Mayor, Board of Supervisors and the Board of Education, with appointment composition including, but not limited to: parents, union labor/teachers, civic/civil rights leaders, business community, youth, public safety, Planning Department, and City Controller. Staff support would be required.

From: Supervisor Maxwell
To: Director, Planning Department
Requesting/Inquiring: Supervisor Maxwell directs the Planning Department to provide a report with the following information no later than Friday, February 3, 2006. The Plan Areas are defined as Mission, East SOMA, Potrero/Showplace Square, Central Waterfront.

1. For each Plan Area, provide a list of the housing projects that have submitted applications to the Planning Department and are awaiting review/approval.

· For each project, provide the date on which the application was filed with the Planning Department.
· For each project, provide the proposed unit mix.
· For each project, provide the proposed number of market rate units and the proposed number of affordable units.
· For those projects that filed applications prior to January 1, 2006 and therefore would be exempt from restrictions on the demolition of PDR buildings, for each project provide the number of square feet of existing building space proposed to be demolished and the square feet of proposed PDR space to be rebuilt.
· Provide an overlay for the department's maps for each Plan Area that shows the locations of each proposed housing project.

2. Using the most recent data available (such as the Dun & Bradstreet business database), provide the number of businesses and jobs that currently exist in areas that are designated under the Department's proposal for new housing development, those areas designated as either Neighborhood Commercial or Urban Mixed Use zones. Provide this information for each Plan Area, and provide by business category, such as SIC code.

3. For each Plan Area, provide the average parcel size.

4. Provide the Planning Department's definition of bioscience and digital media. Based upon these definitions, would the Planning Department allow these uses to locate into the Employment & Business Development and Urban Mixed Use zones under the Department's current interim controls proposal?

5. Describe how the Planning Department is implementing the recommendations of the Bioscience Task Force.

6. From 1995 to present, provide the amount of land in the industrially zoned areas of San Francisco that has been converted to either housing or live/work office uses.

From: Supervisor Elsbernd
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of installing a stop sign at Miraloma Way and Yerba Buena Boulevard.

In Memoriams

In Memoriams
Sean O'Flaherty Fahey - Sueprvisors Ma, Dufty, and Daly
Col. Guillermo "Willy" Boayes - Supervisor Daly
David Mantel - Supervisor Dufty
Gloria M. Root - Supervisor Dufty
Charlie Goodman - Supervisor Sandoval

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:28 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 28, 2006.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

MAR 10 2006

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Tuesday, January 31, 2006 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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1/31/06

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll Supervisor McGoldrick was noted absent.

There was a quorum.

Supervisor McGoldrick was noted present at 2:32 p.m.

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

050960 **[Liquor License, 585 Columbus Avenue]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Jeffrey Branco for Paired Wines and Spirits dba as Coit Liquors located at 585 Columbus Avenue, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Resolution No. 46-06
ADOPTED

051915 **[Rescind Tow-away on Columbus Avenue]**
Supervisor Peskin

Resolution rescinding parking regulations on the 200 Block of Columbus Avenue.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Columbus Avenue, east side, between Pacific Avenue and Broadway

12/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3094.)

Resolution No. 47-06
ADOPTED

051945 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - RESCIND
Eddy Street, eastbound, requiring the center lane to turn right at Cyril Magnin Street, eliminating multiple left turn condition.

BICYCLE LANES - ESTABLISH
Market Street, south side, eastbound, from McCoppin Street to Valencia Street (Parking and Traffic Department)

11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3094.)

Resolution No. 48-06
ADOPTED

051955 **[Parking Regulations]**
Supervisor Peskin

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 1-HOUR PARKING – RESCIND
PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR PARKING – ESTABLISH
Grant Avenue, both sides, between Vallejo and Filbert Streets

(11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Resolution No. 49-06
ADOPTED

052019 **[Accept-Expend Federal Grant - Police Department]**
Supervisor Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds in the amount of $225,542 made available through the United States Department of Justice, Office of Community Oriented Policing Services (COPS) for a project entitled Secure Our Schools.

Resolution No. 43-06
ADOPTED

052042 **[STOP Intersections]**
Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.
STOP SIGNS - ESTABLISH
Mangels at Colon Avenues, making this intersection an All-Way STOP. (Parking and Traffic Department)

(12/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3111.)

Supervisor Elsbernd requested to be added as sponsor.

Resolution No. 50-06
ADOPTED

052048 **[Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of $43,407 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the period of September 1, 2005, through August 31, 2006. (Public Health Department)

Resolution No. 51-06
ADOPTED

052049 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY, EXCEPT VANPOOLS - RESCIND
Folsom Street, both sides, between First and Spear Streets

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Hayes Street, south side, from the northbound Octavia Boulevard Frontage Road to 14.5 feet westerly. (Parking and Traffic Department)

(12/23/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)

Resolution No. 52-06
ADOPTED

052050 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Lakewood Way at Fairfield Way, stopping the northbound direction of Lakewood Way;
Amazon Avenue at Madrid Street, making this intersection an All-Way STOP;
Francisco Street and Laguna Street, stopping Francisco Street at Laguna Street, the stem of this T-intersection; and,
York Street at Peralta Avenue, stopping the stem of this T-intersection. (Parking and Traffic Department)

(12/23/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)

Resolution No. 53-06
ADOPTED

052051 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN EXCEPT MUNI - ESTABLISH
Market Street, southbound, at Clayton Street.

NO LEFT TURN, 7AM TO 9AM AND 4PM TO 7PM, MONDAY THROUGH FRIDAY - ESTABLISH
Potrero Avenue, northbound, at 22nd Street. (Parking and Traffic Department)

(12/22/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3113.)

Resolution No. 54-06
ADOPTED

Recommendations of the Land Use Committee

051818 **[Green Business Program]**
Supervisors Maxwell, Sandoval

Ordinance amending the Environment Code by adding Chapter 15 to authorize a City-wide Green Business Program and amending Business and Tax Regulations Code Section 906.2 to require a clean technology business to be a recognized Green Business in order to be eligible for a payroll tax exclusion under that section.

Ordinance No. 21-06
FINALLY PASSED

Recommendations of the Rules Committee

052043 **[Settlement of Lawsuit -Frank Euphrate, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Frank Euphrate against the City and County of San Francisco for $925,000; the lawsuit was filed on September 10, 2003 in San Francisco Superior Court, Case No. 424-288; entitled Frank Euphrate, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 22-06

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

060051 **[Appointment - SOMA Community Stabilization Fund Community Advisory Committee]**

Resolution appointing Rudy Corpus, Jr., Conny Ford, Jazzie Collins, Ada Chan, Donald Frazier, Kelly Wilkinson, and Steven Sarver, for a term to be determined, to the SOMA Community Stabilization Fund Community Advisory Committee, residency requirement waived.

Rudy Corpus, Jr., new appointment, seat 1, must be representative for low-income families who lives with his or her family in SOMA, for a term to be determined by lot.
Conny Ford, new appointment, seat 2, must have expertise in employment development and/or represents labor, for a term to be determined by lot.
Jazzie Collins, new appointment, seat 3, must be a senior or disabled resident of SOMA, for a term to be determined by lot.
Ada Chan (residency requirement waived), new appointment, seat 4, must have affordable housing expertise and familiarity with the SOMA neighborhood, for a term to be determined by lot.
Donald Frazier, new appointment, seat 5, must represent a community-based organization in SOMA, for a term to be determined by lot.
Kelly Wilkinson, new appointment, seat 6, must provide direct services to SOMA families, for a term to be determined by lot.
Steven Sarver, new appointment, seat 7, must have small business expertise and a familiarity with the SOMA neighborhood, for a term to be determined by lot.

Resolution No. 76-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Severed From the Consent Agenda

Supervisor Ma requested that the following two items be severed so that they might be considered separately.

051142 **[Construction and Demolition Debris Recovery]**
Mayor, Supervisors Ma, Sandoval

Ordinance amending the Building Code by amending Chapter 13 of the Building Code to change the title of the Chapter from "Energy Conservation" to "Resource Conservation" and adding Chapter 13B entitled "Construction and Demolition Debris Recovery Program;" amending the Health Code by adding Sections 288 and 288.1; and amending the Environment Code by adding Chapter 14, entitled Construction and Demolition Debris Recovery Ordinance, to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris generated in San Francisco by prohibiting disposal of such debris with garbage; imposing requirements and conditions in building permits; establishing a program to register construction and demolition debris transporters and processing facilities; and establishing enforcement mechanisms including penalties; amending the Police Code Section 39-1 to implement the new program; setting an operative date; and making environmental findings.

Continued to February 7, 2006

Supervisor Ma, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

060052 **[Appointment - Western SOMA Citizens' Planning Task Force]**
Resolution appointing Daniel Becco, term ending November 23, 2007, to the Western SOMA Citizens' Planning Task Force.

Daniel Becco, new appointment, seat 17, must represent labor, for the unexpired portion of a three-year term ending November 23, 2007.

Continued to February 7, 2006

Supervisor Ma, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

051822 **[Residential Housing Purchaser Protection Ordinance]**
Supervisor Daly

Ordinance amending Administrative Code Section 37.10A to require property owners to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on January 20, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before February 19, 2006.)

Consideration of the Mayor's Veto.
Motion to override the Mayor's veto failed by the following vote:
Ayes: 6 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma
Absent: 1- McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051759 **[Rewards to Informants (Real Estate Watchdogs) for Information Related to the Detection of Underpayment of Property Tax]**
Supervisors Alioto-Pier, Peskin, Daly, Dufty, Maxwell, Mirkarimi, Ma

Ordinance amending Chapter 10 of the San Francisco Administrative Code by adding Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco. (Assessor-Recorder)

Supervisors Maxwell, Mirkarimi and Ma requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

060048 **[Public Auction]**
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

Resolution No. 55-06

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Recommendations of the City Operations and Neighborhood Services Committee

052052 **[Permitting unattended vehicles in white zones in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers]**
Supervisors Ma, McGoldrick

Ordinance amending Traffic Code Section 38.C to permit vehicles to be left unattended in a white zone in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

060026 **[Condemning the persecution of Falun Gong practitioners]**
Supervisor Daly

Resolution condemning the persecution of Falun Gong practitioners and expressing the position of the City and County of San Francisco to Federal Officials, urging federal officials and the State Department to follow United States Congress Resolution 304, and stating that the views expressed by Falun Gong practitioners are not officially sanctioned by the City and County of San Francisco.

(Supervisor McGoldrick dissenting in committee)

Supervisor McGoldrick was noted present at 2:32 p.m.

Resolution No. 66-06

ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval
Noes: 2 - McGoldrick, Peskin

060027 **[Change the name of 16th Street between Pond Street and Prosper Street in the Castro to José Sarria Court]**
Supervisors Dufty, Ammiano, Ma, Mirkarimi, Daly, McGoldrick

Resolution changing the name of 16th Street between Pond Street and Prosper Street in the Castro to "José Sarria Court," in recognition of José Sarria, who is one of the most heroic, courageous, and colorful and creative figures in San Francisco's history.

Supervisor McGoldrick was noted absent at 2:42 p.m.

Resolution No. 64-06

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

051944 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
285 Dorland Street, south side, between the driveways of #285 and #295 Dorland Street (establishes three motorcycle parking spaces in this 14.5 foot space).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Folsom Street, west side, between Cesar Chavez Street and 26th Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Mississippi Street, west side, north of 25th Street to the terminus

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Green Street, south side, from Battery Street to 140 feet westerly; and,
Green Street, south side, from Sansome Street to 16 feet easterly.

PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9AM TO 6PM, MONDAY THROUGH SATURDAY- ESTABLISH
Ellis Street, both sides, between Van Ness Avenue and Franklin Street

PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY -ESTABLISH
Portola Drive, south side, between Fowler Avenue and Evelyn Way and between Teresita and O'Shaughnessy Boulevards

1-HOUR TIME LIMIT PARKING - RESCIND
PARKING METER AREA 1, 7AM TO 6PM, 2-HOUR, MONDAY THROUGH SATURDAY - ESTABLISH
Tehama Street, north side, between 1st Street and 140 feet west of 2nd Street (Unit and 100 block)
Clementina Street, south side, between 1st and 2nd Streets (Unit block)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Market Street, south side, from Octavia Street off-ramp to Valencia Street

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Market Street, south side, from 151 feet west of Valencia Street to McCoppin Street

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, EXCEPT SATURDAY – RESCIND
Market Street, south side, from Valencia Street to 151 feet westerly

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Mars Street, both sides, between 17th and Corbett Streets (Unit block)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Divisadero Street, east side, between Haight and Page Streets (200 block)

STREET CLOSURE - ESTABLISH
Jack Kerouac Alley, between Grant and Columbus Avenue (permanent closure to automobile traffic).

SIDEWALK WIDTH - EXTENSION
Mission Street and 18th Street intersection, northwest and southeast corners (sidewalk would be widened by five feet by installing new corner bulbs)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
McKinnon Avenue, north side, between Toland and Selby Streets.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Waterville Street terminus (200 block)

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
28th Street, both sides, between Church and Sanchez Streets (200 block)

TOW-AWAY, NO STOPPING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Trumbull Street, north side, from Congdon Street to 100 feet easterly. (Parking and Traffic Department)

11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3094.)

Resolution No. 63-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Absent: 1 - McGoldrick

Recommendation of the Government Audit and Oversight Committee

051963 **[Memorandum of Understanding - Local 21, AFL-CIO]**
Mayor

Ordinance adopting and implementing the agreement between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to resolve a grievance regarding the application of performance bonus language for Fiscal Year 2004-2005 in the parties' Memorandum of Understanding and to implement the amended performance bonus language for Fiscal Year 2005-2006 in Amendment No. 5 to the Memorandum of Understanding, effective upon adoption.

(Fiscal impact.)

Settlement agreement was amended.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Absent: 1 - McGoldrick

Recommendation of the Land Use Committee

051676 **[24th Street – Noe Valley Neighborhood Commercial District – full-service restaurants and bars]**
Supervisor Dufty

Ordinance amending Planning Code Sections 728.41 and 728.42 of the 24th Street – Noe Valley Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new bar uses that satisfy specific requirements and obtain conditional use authorization; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

From the Rules Committee "Without Recommendation"

052008 **[Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]**
Supervisors Elsbernd, Ma

Charter amendment (First Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

Continued to February 7, 2006
Supervisor Ma requested to be added as a co-sponsor.
Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

060082 **[Public Hearing - Resolution amending the Articles of Formation of the South of Market Project Area Committee]**

Hearing to consider a proposed resolution amending the Articles of Formation of the South of Market Project Area Committee to (1) require new elections and (2) add a representative who shall be a parent of a student of the Bessie-Carmichael School as a category of membership thereof following the adoption of the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area. (Clerk of the Board)

The President inquired as to whether or not a member of the public wished to address the Board members.
Antoinetta; opposed to the legislation
Chris Grosso; support of legislation
Donald Clark; support of legislation
Bruce Allison; support of legislation
Jim Garrison; support of legislation
Lisa Watchin; support of legislation
Wilma Parker; reviewed role of Project Area Committee (PAC)
Male speaker, member of PAC
The President declared the public hearing closed.

Jim Morales, General Counsel for the Redevelopment Agency reviewed with the Board the Redevelopment Agency concerns relating to the amendments being considered.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

From the Rules Committee

052022 **[Amending the Articles of Formation of the South of Market Project Area Committee to Require new elections]**

Supervisor Daly

Resolution amending the Articles of Formation of the South of Market Project Area Committee to (1) require new elections and (2) add a representative who shall be a parent of a student of the Bessie-Carmichael School as a category of membership thereof following the adoption of the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area.

Resolution No. 75-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Dufty introduced, welcomed and presented a Certificate of Honor to Bishop Yvette Flunder.

SPECIAL ORDER 4:00 P.M.

Recess

The Board recessed at the hour of 3:55 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:01p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, - 7

Supervisor Ma was noted present at 4:02 p.m.
Supervisor Elsbernd was noted present at 4:13 p.m
Supervisor Sandoval was noted present at 4:35 p.m.

Board of Supervisors Sitting as a Committee of the Whole

060075 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

The President inquired as to whether or not a member of the public wished to address the Board members. There were none.
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

060074 **[Reenacting a Disadvantaged Business Enterprise Program]**
Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Ordinance No. 23-06
FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 3 - Elsbernd, McGoldrick, Sandoval

SPECIAL ORDER 4:00 P.M.

052035 **[Hearing - Appeal of Categorical Exemption from Environmental Review for 1043-1045 Francisco Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department granting a Categorical Exemption from environmental review as part of a variance application (Case No. 2005.0032DV, Building Permit Application No. 2004.02.10.6005S), the proposed project at 1043-1045 Francisco Street, Lot 020 in Assessor's Block 0477. The proposal is to add a one-story horizontal addition over the existing one-story extension at the rear of the existing building. The site contains a two-story (with one-story section at the rear where the addition is proposed) over basement, two-family building at the front of the lot and a one-story, two-car garage at the rear of the lot. The project originally proposed to expand the garage, but that part of the project has been eliminated.

The lot size is 4,726 square feet, within RH-2 (Residential House, Two-Family) District and 40X Height and Bulk District. (Appellant: Stephen M. Williams).

(Filed 12/9/05; companion measure to Files 052036, 052037, 052038; District 2.)

The President inquired as to whether or not a member of the public wished to address the Board members. There were none.
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

052036 **[Affirming the categorical exemption issued for 1043-1045 Francisco Street]**

Motion affirming the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 4 - Ammiano, Elsbernd, McGoldrick, Sandoval

052037 **[Disapproving the categorical exemption issued for 1043-1045 Francisco Street]**

Motion disapproving the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 4 - Ammiano, Elsbernd, McGoldrick, Sandoval

052038 **[Preparation of findings related to the appeal of the CEQA exemption determination issued for 1043-1045 Francisco Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that a project at 1043-1045 Francisco Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 4 - Ammiano, Elsbernd, McGoldrick, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; expressed concern with the school closures in San Francisco
James Chaffee; expressed concern with issues relating to the SF Public Library
Ann Connery; expressed concern with the closure of John Swett Elementary School
Sarah Rubenstein Thomas; expressed concern with the closure of John Swett Elementary School
Walter; showed interest in cartoons and Disney productions
John di Donna; expressed concern with issues relating to the homeless
Steven; showed interest in Falun Gong
Female Speaker; showed interest in human rights
Male speaker; showed interest in Falun Gong
Charles Lee; expressed concern with human rights issues
Female Speaker; showed interest in Falun Gong
Eric Wong; showed interest in Falun Gong
Nan Su; expressed concern with issues relating to Falun Gong and homosexuality
Male speaker; showed interest in Falun Gong
Qau Lew; expressed concern with articles relating to homosexuality and Falun Gong
Male speaker; showed interest in Falun Gong
Ms. Lee; expressed concern with articles relating to Falun Gong
Male speaker; showed interest in Falun Gong
Female speaker; showed interest in Falun Gong
Ben Fendick; showed interest in Falun Gong
Shanna Gogonat; showed interest with issues relating to Steve Covey
Pete Art; expressed concern with the closure of John Swett Elementary School
Vanessa Harvey; expressed concern with the closure of John Swett Elementary School
Gail Baum; expressed concern with the closure of John Swett Elementary School
Jim Morshell; expressed concern with the closure of John Swett Elementary School
Jimmy; showed interest in human rights
Rubin David Goodman; expressed concern with the Empress Hotel evictions
Young Chin; showed interest in human rights and Falun Gong
Female speaker; expressed concern with housing issues in SF
Female speaker; showed interest in Falun Gong
Male speaker; showed interest in Falun Gong
Female speaker; showed interest in Falun Gong
Ace Washington; expressed concern with the City Hall Press Room
Jakkee Bryson; expressed concern with discrimination issues
Stephen Dreyfuss; showed support of Item 46
Ms. Kwon; showed interest in Falun Gong
Abraham Thompson; showed interest in Falun Gong and concern with homosexuality articles

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060111 **[Commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department]**
Supervisors Dufty, Elsbernd

Resolution commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department.

Supervisor Elsbernd requested to be added as co-sponsor.

Resolution No. 56-06
ADOPTED

060112 **[Commending Lost in the Fog and owner Harry J. Aleo for winning the Eclipse Award as the year's champion sprinter]**
Supervisor Dufty

Resolution commending Lost in the Fog and owner Harry J. Aleo for winning the Eclipse Award as the 2006 champion sprinter in the United States.

Resolution No. 57-06
ADOPTED

060115 **[Supporting Immigrant and Human Rights]**
Supervisors Maxwell, Peskin, Daly

Resolution affirming the City and County of San Francisco's support for immigrant and human rights in the face of growing border vigilantism.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 44-06
ADOPTED

060116 **[Recognizing the month of February as Black History Month]**
Supervisors Maxwell, Dufty

Resolution recognizing the month of February as Black History Month.

Supevisor Dufty requested to be added as a co-sponsor.

Resolution No. 58-06
ADOPTED

060117 **[Accept-Expend Regional Grant - Department of the Environment]**
Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $430,500 from the Bay Area Air Quality Management District to retrofit diesel engines in forty-one (41) Heavy Duty Vehicles (HDV) with diesel emission control equipment.

Resolution No. 59-06
ADOPTED

060118 **[Approval of Port Lease for Living Classroom at Heron's Head Park]**
Supervisor Maxwell

Resolution approving the Lease between the San Francisco Port Commission and Literacy for Environmental Justice, a non-profit organization, for the Living Classroom Project, located at Heron's Head Park, for a total term of ten years.

Resolution No. 60-06
ADOPTED

060120 **[Blue Diamond Growers]**
Supervisors McGoldrick, Dufty, Mirkarimi, Ma

Resolution supporting the workers of Blue Diamond Growers and their efforts to join the International Longshore and Warehouse Union Local 17 (ILWU) and condemning Blue Diamond for waging an aggressive anti-union campaign and violating the National Labor Relations Act.

Resolution No. 67-06
ADOPTED

060124 **[Welcoming Qantas Airways to San Francisco]**
Supervisors Peskin, Elsbernd, Dufty

Resolution commending Qantas Airways on new service to San Francisco International Airport, starting Mach 29, 2006 and welcoming the new airline to San Francisco.

Supervisors Elsbernd and Dufty requested to be added as co-sponsors.

Resolution No. 61-06
ADOPTED

060125 **[1906 Great Earthquake and Fire Expo Endorsement]**
Supervisors Peskin, Dufty, Ma

Resolution endorsing the San Francisco Fire Department and Historical Society 1906 Great Earthquake and Fire Expo and declaring said Expo an official event of the City's Centennial observances.

Supervisors Dufty and Ma requested to be added as co-sponsors.

Resolution No. 62-06
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Severed From Without Reference to Committee Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

060110 **[Commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition]**
Supervisors Dufty, Maxwell, Ammiano, Daly

Resolution commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition for their leadership in convening the Black Church Summit and in seeking equality for lesbian, gay, bisexual and transgendered members of the African-American community.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 45-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Ma, McGoldrick

Supervisor Ma requested that the following two items be severed so that they might be considered separately.

060114 **[Emergency Disadvantaged Business Enterprise Program - January 31, 2006, Committee of the Whole]**
Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on January 31, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Supervisor Ma requested that this matter be severed so that it might be considered separately.

Motion No. M06-12

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin
Absent: 3 - Elsbernd, McGoldrick, Sandoval

060113 **[Supporting the Musicians of the San Francisco Symphony]**
Supervisors Ma, Ammiano

Resolution supporting the Musicians of the San Francisco Symphony in their effort to be compensated at a level comparable to what musicians in other leading orchestras receive -- not more and not less.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Supervisor Ma, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED AS AMENDED.
The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Mirkarimi requested that following two items be severed so that they might be considered separately.

060122 **[Zoning - Extension of Planning Commission Review Period]**
Supervisor Mirkarimi

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Zoning Map in order to reclassify both sides of the 600 Block of Haight Street to NC-2 (Small-Scale Neighborhood Commercial District).

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

060123 **[Opposing the Closure to John Swett Alternative School]**
Supervisors Mirkarimi, Daly, Ammiano

Resolution opposing San Francisco's Board of Education's decision to close the John Swett Alternative School.

Continued to February 7, 006

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

060121 **[Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]**
Supervisor McGoldrick

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

Continued to February 7, 2006

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments

Ordinances

060141 **[To appropriate capital project funding for seven capital improvement projects by revising the current sources and uses appropriations in the S.F. International Airport's Five-Year Capital Plan]**
Mayor

Ordinance appropriating $16,342,714, including the de-appropriation of $15,707,484 in current project funding to use this source for appropriation, and appropriating an additional $635,230 of Airport fund balance generated from prior year's interest income. These sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal impact.)
1/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060142 **[Public Works Code – sidewalk landscape permits]**
Mayor, Supervisor Alioto-Pier

Ordinance amending the Public Works Code by amending Section 801 to recognize sidewalk landscaping as an important contributor to the City's quality of life; by adding Section 812 to establish a permit process for sidewalk landscape installation and removal, including permit fees; and making environmental findings.
1/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/2/2006.

060143 **[Board of Appeals – Notice of Hearings]**
Supervisor Ma

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 12 to require mailed notice of hearings to all owners and, to the extent practicable, residents within 150 feet of the property that is the subject of the appeal.
1/31/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/2/2006.

060151 **[Implementation of Proposition H, which prohibits the sale, manufacture or distribution of firearms and limits possession of handguns within CCSF, by placement in the Police Code and by enacting penalties for violation]**
Mayor

Ordinance implementing Proposition H, which was enacted by the voters on November 8, 2005, and which prohibits the sale, distribution, transfer, and manufacture of firearms and ammunition and limits possession of handguns within the City and County of San Francisco, by placing the text of Proposition H in the Police Code and by enacting penalties for its violation.
1/31/06, RECEIVED AND ASSIGNED to Rules Committee.

060152 **[Tenant History Disclosures to Buyers of Multi-Unit Residential Property]**
Supervisor Dufty

Ordinance amending Administrative Code Section 37.10A to require that a property owner selling real property with two or more residential units must disclose to the buyer within three (3) calendar days of entering into a contract for sale, the legal ground(s) for the termination of any tenancy from a unit to be delivered vacant at the close of escrow, and whether that unit was occupied by an elderly or disabled tenant at the time of termination of tenancy.
1/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/2/2006.

Resolutions

060149 **[STOP Intersections]**
Supervisor Mirkarimi

Resolution designating Fillmore and Ellis as a 4-Way STOP intersection.

STOP SIGNS - ESTABLISH
Fillmore and Ellis: stopping northbound and southbound Fillmore, and eastbound and westbound Ellis, making this intersection an All-Way STOP.
1/31/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060150 **[Issuance and Sale of Revenue Bonds – Salvation Army Tenderloin Housing and Community Center]**
Supervisor Daly

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in one or more series issued from time to time and at no time to exceed $16,000,000 in outstanding aggregate principal amount, for the financing of the acquisition, construction and development of a multifamily rental housing project generally known as Salvation Army Tenderloin Housing and Community Center.
1/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060153 **[Supporting Compassionate Use of Medical Cannabis]**
Supervisors Ammiano, Mirkarimi, Peskin

Resolution supporting the compassionate use of medical cannabis for patients while in the custody of the City and County of San Francisco and other California counties, and reaffirming the right of Steven Wynn Kubby who requires the medicinal use of marijuana to remain in good health while in custody in the Placer County jail.
1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060154 **[Extension of Arts Task Force]**
Supervisor Ammiano

Resolution extending the operations of the Arts Task Force through the implementation of the Arts Task Force recommendations.
1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060155 **[Supporting the California Energy Commission's recommendation for a cost/risk/benefit analysis of the State's continued reliance on aging nuclear facilities]**
Supervisor Ammiano

Resolution supporting the California Energy Commission's recommendation for a cost/risk/benefit analysis of the state's continued reliance on aging nuclear facilities and to support the planning for our state's energy needs and decrease any risks from a radioactive release due to an act of terrorism, malice or insanity, or to earthquake or age-related accidents.
1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060156 **[Investigate and Impeach President Bush and Vice President Cheney]**
Supervisor Daly

Resolution calling for a full investigation, impeachment or resignation of President George W. Bush and Vice President Richard B. Cheney.

(Supervisor Elsbernd Dissented in Committee)
1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060157 **[Urging State Legislature and Governor to include funding in any state infrastructure bond placed before the voters in 2006]**
Supervisors Daly, Dufty

Resolution urging the State Legislature and the Governor to include funding for the Caltrain downtown extension/Transbay Terminal Project and the Statewide High Speed rail system in any state infrastructure bond placed before the voters in 2006.
1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060158 **[Commending Joseph B. Williams]**
Supervisors Dufty, Maxwell

Resolution commending Joseph B. Williams on an outstanding career of law and Civic activism and wishing him the best of luck in all of his future endeavors.
1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060159 **["National Black HIV/AIDS Awareness Day" in San Francisco]**
Supervisors Maxwell, Dufty, Mirkarimi

Resolution proclaiming February 7th, 2006 as "National Black HIV/AIDS Awareness Day" in San Francisco.
1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060160 **[Supporting transparency and accountability in setting refuse collection rates]**
Supervisor Peskin

Resolution urging the Director of the Department of the Environment and the Director of the Department of Public Works to develop a detailed cost projection for proposed expenditures from the Solid Waste Impound Account over the proposed 2006-2011 residential refuse rate period and to make these materials available for review by the public.
1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060161 **[Urging Governor Arnold Schwarzenegger and Senator Don Perata to support placing the $10 billion bond measure to fund a high-speed rail system between San Francisco and Los Angeles on the November 2006 ballot]**
Supervisor Sandoval

Resolution urging Governor Arnold Schwarzenegger and Senator Don Perata to support placing the $10 billion bond measure to fund a high-speed rail system between San Francisco and Los Angeles on the November 2006 ballot.
1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060140 **[Golden Gate Suicide Barrier]**
Supervisors Ammiano, Dufty

Hearing to investigate the progress of the proposed plans for the erection of the Golden Gate Suicide Barrier.
1/31/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060145 **[Controller's performance and financial audit of the Mission Housing Development Corporation]**
Supervisor Ammiano

Hearing on the Controller's performance and financial audit of the Mission Housing Development Corporation.
1/31/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled on February 13, 2006 meeting.

060146 **[Audit schedule for fiscal year 2006-2007]**
Supervisor Ammiano

Hearing to review the audit schedule for fiscal year 2006-2007.
1/31/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060147 **[Community Policing]**
Supervisor Maxwell

Hearing on community policing strategies.
1/31/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence. Sponsor requests this item be scheduled at the February 6, 2006 meeting.

060148 **[Voting Systems]**
Supervisor Mirkarimi

Hearing to assess progress in readying voting equipment from newly selected vendor Sequoia Voting Systems in advance of the upcoming November election.
1/31/06, RECEIVED AND ASSIGNED to Rules Committee.

Motion

060144 **[Legislative Analyst Request - Student Housing Regulations]**
Supervisor Elsbernd

Motion requesting the Legislative Analyst to prepare a report on the following issue(s): As the need for student housing at San Francisco State University expands, area residents have expressed concerns regarding regulations. What policies do the cities of Berkeley, Santa Clara and Santa Cruz have in place to ensure the peaceful co-existence of students, universities, and area residents?
1/31/06, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 7, 2006.

PROPOSED ORDINANCES

060099 **[Settlement of Lawsuit and Grievance - Gary Thompson]**
Ordinance authorizing settlement of the lawsuit filed by Gary Thompson and the grievance filed by his Union, Service Employees Service Employees International Union, Local 790, against the City and County of San Francisco for $199,000; the lawsuit was filed on May 14, 2003 in United States District Court, Northern District of California, Case No. CV-03-02243-WDB and is entitled Gary Thompson v. City and County of San Francisco, et al; the grievance was filed on August 28, 2003 and is entitled Service Employees International Union, Local 790 v. City and County of San Francisco, ERD No. 12-03-1143. (City Attorney)
1/23/06, RECEIVED AND ASSIGNED to Rules Committee.

060097 **[Settlement of Lawsuit - Maria Castillo]**
Ordinance authorizing settlement of the lawsuit filed by Maria Castillo against the City and County of San Francisco for $40,000; the lawsuit was filed on January 18, 2005 in San Francisco Superior Court, Case No. 437-830; entitled Maria Castillo, et al., v. City and County of San Francisco, et al. (City Attorney)
1/23/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

060094 **[Contract funds to develop an electronic reporting system for results of hepatitis testing]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to renew a contract agreement with Public Health Foundation Enterprises, Inc. (PHFE) the primary contractor, and expend funds in the amount of $141,413 to develop a secure electronic reporting system of hepatitis testing results; for the period of December 30, 2005 to December 29, 2006. (Public Health Department)
1/20/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060095 **[Contract funds to conduct interviews and obtain data regarding pre-exposure prophylaxis use by MSM]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of $16,073 to conduct interviews and obtain data on pre-exposure prophylaxis use by MSM for the period of January 1, 2006, to April 30, 2006. (Public Health Department)
1/20/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060096 **[Lease of Real Property located at One Market Plaza]**

Resolution authorizing the renewal of a lease of 20,677 sq. ft. of space including related auxiliary spaces at One Market Plaza for the Department of Telecommunications and Information Services. (Real Estate Department)

1/23/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Elsbernd
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the status of replacing the right turn sign on Lake Merced and Clearfield, which was removed during the October 2005 golf tournament (American Express Championship).

From: Supervisor Elsbernd
To: Recreation and Park Department
Requesting/Inquiring: Requesting the Department of Recreation and Park Department to investigate the status of the Junipero Serra Playground project, and provide the following:

· The previous and current project cost estimates
· An accounting of all dollars spent on the project thus far
· The previous and current expected project outcome
· A project timeline

From: Supervisor Elsbernd
To: Municipal Transportation Agency
San Francisco Unified School District
Public Library
Requesting/Inquiring: Requesting the Municipal Transportation Agency, San Francisco Unified School District, and Public Library to investigate what steps are being taken to coordinate capital improvement efforts near West Portal station.

From: Supervisor Mirkarimi
To: Department of Public Works
Public Utilities Commission
Requesting/Inquiring: Requesting the Department of Public Works and the Public Utilities Commission to report on the status of the repair of a large pothole at the intersection of Willard Street and Carl Street.

Cc: Mark Goldstein
1335 Willard Street
San Francisco, CA 94117

From: Supervisor Mirkarimi
To: Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of utilizing countdown signals for pedestrians crossing at Masonic Avenue and Hayes Street.

Cc: Gary Gregorian
1500 Howard Street
San Francisco, CA 94103

From: Supervisor Mirkarimi
To: Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of extending the red light times for both :
(1) eastbound Fell Street at Octavia Boulevard; and
(2) southbound Octavia Boulevard at Fell Street so as to allow increased time for neighbors on Fell Street east of Octavia Boulevard to enter and exit parking spaces and garages.

From: Supervisor Mirkarimi
To: Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of utilizing "head start" intervals/leading intervals for pedestrians crossing at the east and west sides of 9th Avenue.

From: Supervisor Mirkarimi
To: Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal of:

- *Green box at the northwest corner of Webster and Grove Streets*
- *Green box at the northwest corner of Laguna and Oak Streets*
- *Green box at the northwest corner of Laguna and Fell Streets*

In Memoriams

Stephen A. Legnitto - Entire Board
Lillian Rose - Entire Board
Coretta Scott King - Entire Board
Joyce Wong Lam - Entire Board
Will Carter - Supervisor Ammiano
Allan Temko - Supervisor Dufty
Betty Berson - Supervisors Dufty, Ammiano
Richard Lucas - Supervisor Ma
Annette Jones Spingola - Supervisor Mirkarimi
Janice Allen - Supervisor Mirkarimi

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:24 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 28, 2006.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, February 7, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll

all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Sandoval, moved to approve the Meeting Minutes of January 17, 2006. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

COMMUNICATIONS

Gloria L. Young, Clerk of the Board, informed the Board she was in receipt of a communication from the Mayor vetoing File No. 051637 legislation relating to Planning Commission hearings on condominium conversions.

The matter will be on the February 14, 2006 Board agenda for consideration.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

051759 [Rewards to Informants (Real Estate Watchdogs) for Information Related to the Detection of Underpayment of Property Tax] — Supervisors Alioto-Pier, Peskin, Daly, Dufty, Maxwell, Mirkarimi, Ma

Ordinance amending Chapter 10 of the San Francisco Administrative Code by adding Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco. (Assessor-Recorder)

Enacted Number: 28-06

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

052052 [Permitting unattended vehicles in white zones in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers] — Supervisors Ma, McGoldrick

Ordinance amending Traffic Code Section 38.C to permit vehicles to be left unattended in a white zone in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers. (Parking and Traffic Department)

Enacted Number: 26-06

FINALLY PASSED

Recommendation of the Land Use Committee

051676 [24th Street - Noe Valley Neighborhood Commercial District - full-service restaurants and bars] — Supervisor Dufty

Ordinance amending Planning Code Sections 728.41 and 728.42 of the 24th Street - Noe Valley Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new bar uses that satisfy specific requirements and obtain conditional use authorization; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 24-06
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

051963 [Memorandum of Understanding - Local 21, AFL-CIO] Mayor

Ordinance adopting and implementing the agreement between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to resolve a grievance regarding the application of performance bonus language for Fiscal Year 2004-2005 in the parties' Memorandum of Understanding and to implement the amended performance bonus language for Fiscal Year 2005-2006 in Amendment No. 5 to the Memorandum of Understanding, effective upon adoption.

(Fiscal impact.)

Enacted Number: 25-06
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

Recommendation of the Land Use Committee

051142 [Construction and Demolition Debris Recovery] Mayor, Supervisors Ma, Sandoval

Ordinance amending the Building Code by amending Chapter 13 of the Building Code to change the title of the Chapter from "Energy Conservation"

to "Resource Conservation" and adding Chapter 13B entitled "Construction and Demolition Debris Recovery Program;" amending the Health Code by adding Sections 288 and 288.1; and amending the Environment Code by adding Chapter 14, entitled Construction and Demolition Debris Recovery Ordinance, to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris generated in San Francisco by prohibiting disposal of such debris with garbage; imposing requirements and conditions in building permits; establishing a program to register construction and demolition debris transporters and processing facilities; and establishing enforcement mechanisms including penalties; amending the Police Code Section 39-1 to implement the new program; setting an operative date; and making environmental findings.

Enacted Number: 27-06

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

060052 **[Appointment - Western SOMA Citizens' Planning Task Force]**

Resolution appointing Daniel Becco, term ending November 23, 2007, to the Western SOMA Citizens' Planning Task Force.

Daniel Becco, new appointment, seat 17, must represent labor, for the unexpired portion of a three-year term ending November 23, 2007.

Enacted Number: 69-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

052008 **[Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]** **Supervisors Elsbernd, Ma**

Charter amendment (First Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051773 [Public Financing for Mayoral Candidates] — Supervisors Mirkarimi, Maxwell, Ammiano, Daly, McGoldrick, Ma

Ordinance amending the Campaign and Governmental Conduct Code by amending sections 1.104, 1.108, 1.130, 1.134, 1.136, 1.138, 1.140, 1.142, 1.144, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and adding sections 1.134.5, 1.138.5, 1.140.5, 1.144.5 and 1.146 to create a public financing program for mayoral candidates, appropriate funding for the program and make other changes to the Campaign Finance Reform Ordinance.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

060030 [Weights and Measures-Registration and Inspection Fees] — Mayor

Ordinance amending Section 1.13-5 of the San Francisco Administrative Code, to set new fees for the registration and inspection of weighing and measuring devices, based on each device and business location.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060064 [2006 Finance Corporation Equipment Program] — Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 13 (Series 2006A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate;

approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $10,750,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal impact.)

Enacted Number: 70-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use Committee

051443 [Amending the Electrical Code regarding headroom requirements for panelboards, entrances for 1200 amp rated equipment, use of non-metallic sheathed cable in multifamily dwellings, and making

Ordinance amending Articles 89, 100, 110, 210, 215, 220, 230, 250, 300, 333, 334, 336, 340, 348, 350, 352, 351, 348, 378, 331, 362, 384, 410, 411, 645, 700, 760, and 800 of the Electrical Code to make minor clerical changes for greater clarity, to extend the general requirement for headroom about panelboards to residential panelboards rated not more than 200 amps, to provide that equipment rated 1200 amps or more, regardless of width, requires an entrance to each end of the working space, to allow for non-metallic sheathed cable to be installed in multifamily dwellings with Type III, IV and V construction up to 4 stories in height, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051453 [Off-Street Parking In C-3 Zoning Districts] **Supervisors Peskin, Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161,166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

From the Land Use Committee Without Recommendation

050601 **[Better Neighborhoods Plus Planning and Implementation Process]** **Supervisors McGoldrick, Maxwell**

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Plus Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plus Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plus Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plus Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued to February 14, 2006.

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

051473 [Rule Amendment - Recessed Meetings] Supervisor Peskin

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 4.39, which provides that when the Board of Supervisors, or one of its committees, recesses a meeting to a time more than twelve hours after the decision to recess, the members shall identify the items being recessed, and direct the Clerk of the Board to process the remaining, decided items on the agenda as completed business; during the reconvened meeting, the Board or the committee shall not consider those items already processed by the Clerk as completed business; and amending Rule 4.37 to provide that Rule 4.39 may not be suspended.

Enacted Number: M06-13

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

051682 [Amending Rules 3.7 and 3.8 of the Rules of Order of the San Francisco Board of Supervisors governing the reporting of legislation from Board Committees to the Board] Supervisor Peskin

Motion amending Rules 3.7 and 3.8 of the Rules of Order of the Board of Supervisors to provide that Board Committees have until 9:00 a.m. on Thursdays to report legislation to the Board for the following Tuesday's Board meeting.

Enacted Number: M06-14

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

060035 [Rules of Order of the Board - Land Use and Economic Development Committee] Supervisor Peskin

Motion amending the Rule of Order 5.5 renaming the Land Use Committee the "Land Use and Economic Development Committee".

Enacted Number: M06-15

APPROVED by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Absent: 1 - Daly

060045 [Rules of Order of the Board - Budget and Finance Committee] Supervisor Peskin

Motion amending the Rule of Order 5.1, establishing size, membership and jurisdiction of the Budget and Finance Committee.

Enacted Number: M06-17

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

052010 [Charter Amendment - Providing for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District] Supervisor Daly

Charter Amendment (Second Draft) by amending Sections 8.100 and 8.101 to provide for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District, using 1983 as the base year.

Continued to February 14, 2006.

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Maxwell, moved suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano introduced and welcomed Steven DiTomaso, who accepted a Certificate of Honor on behalf of the late Will Carter for Black

History Month.

SPECIAL ORDER 4:00 P.M.

051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

The President inquired as to whether or not any member of the public wished to address the Board.

There were none.

The President declared the public hearing closed.

Continued to February 14, 2006

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051853 [Affirming the categorical exemption issued for 730 Great Highway]

Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 14, 2006

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051854 **[Disapproving the categorical exemption issued for 730 Great Highway]**

Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 14, 2006

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051855 **[Preparation of findings related to the categorical exemption issued for 730 Great Highway]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 14, 2006

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

051936 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 2660 Harrison Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 3, 2005, File Number 2004.0672E, for the proposed development project at 2660 Harrison Street.

(Filed 11/23/05; companion measure to Files 051936, 051937, 051938, 051939, District 9.)

The President inquired as to whether or not any member of the public wished to address the Board.

Sue Hestor, Appellant, MAC

Commissioner Ruby Harris, Economic Development Agency, support of appellant

Mr. Alvarado, support of appellant

Luis Grenados, MEDA, support of appellant

Joseph Smith, Bernal Heights Neighborhood Center, support of appellant

Chris Strasa, South of Market Action Network, support of appellant

Female Speaker, support of appellant

Shell King An, Chinese Progressive Association, support of appellant

Marna Schwartz, MEDA, support of appellant

Charlie Shulmas, Mission Displacement Association, support of appellant

Santo Dodias, support of appellant

Jeff Conda, Neighborhoods Works Council, support of appellant

Ms. Cassayanos, support of appellant

Female Speaker, support of appellant

Josh Weisman, support of appellant

Mr. Morales, support of appellant

Erica Manan, Youth Organizer Common Youth Program, support of appellant

Anna Mayako, Youth Organizer, support of appellant

Lahey Fernandez, support of appellant

Ms. Amari, support of appellant

Lucy Bravo, Youth Organizer, BOREL, support of appellant

Jeff Langley, Youth Organizer, support of appellant

Evelyn Luis, support of appellant

Marilyn Duran, support of appellant

Barbara Lopez, support of appellant

Fernanda Marquis, Mission Displacement Coalition, support of appellant

Elizabeth Alexander, Tenderloin Housing Clinic, support of appellant

Eric De San, support of appellant

Oscar Grande, organizer; support of appellant

Benet, support of appellant

Rosario Aminex, support of appellant

Ms. Aminez (child), support of appellant

Alou Parola, support of appellant

Jerad Brown, support of appellant

John Moran (represents shipboard workers), support of appellant

Paul Maltzer, Planning Department, reviewed with the

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051937 [Affirming adoption of the final mitigated negative declaration for 2660 Harrison Street]

Motion affirming Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma
Absent: 1 - Alioto-Pier

051938 [Reversing adoption of the final mitigated negative declaration for 2660 Harrison Street]

Motion reversing the Planning Commission adoption of the final mitigated

negative declaration for 2660 Harrison Street. (Clerk of the Board)

Enacted Number: M06-16

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma
Absent: 1 - Alioto-Pier

051939 **[Preparation of findings to reverse adoption of the final mitigated negative declaration for 2660 Harrison Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

Enacted Number: M06-18

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma
Absent: 1 - Alioto-Pier

SPECIAL ORDER 4:00 P.M

051991 **[Public Hearing - Conditional Use Appeal for 2660 Harrison Street]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17139 dated November 3, 2005, approving Conditional Use Application No. 2004.0672ECV, subject to certain conditions, to allow the construction of dwelling units within a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a) in order to demolish an existing vacant commercial building and construct two new four story over garage buildings containing a total of sixty-eight dwelling units and sixty-eight off-street parking spaces on a property within a C-M (Heavy Commercial) zoning district, the `Housing/Mixed Use' sub-area of the Eastern Neighborhoods planning area as set forth in Planning Commission Resolution Number 16727, and a 40-X Height and Bulk District, located at 2660 Harrison Street, on the west side between 22nd and 23rd Streets. (Appellant: Sue Hestor, attorney for Nick Pagoulatos/Mission Anti-Displacement; subscribed by Supervisors Tom Ammiano, Chris Daly, Aaron Peskin, Sophie Maxwell and Jake McGoldrick.)

(Filed 12/5/05; companion measure to Files 051992, 051993, 051994; District 9.)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051992 [Approving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]

Motion approving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

051993 [Disapproving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]

Motion disapproving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

051994 [Preparation of findings related to the Conditional Use Appeal for 2660 Harrison Street]

Motion directing the Clerk of the Board to prepare findings relating to

proposed Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

COMMITTEE REPORTS

052011 **[Charter Amendment - Port Commission: qualifications and term limits for Port Commission members; increasing the number of Commission members from 5 to 7; criteria for use of Port property;** **Supervisor Peskin**

Charter Amendment (Second Draft) to amend Section 4.114 to establish minimum qualifications for members of the Port Commission, impose term limits, increase the number of Commission members from five to seven, and limit hold-over appointments, amending Section 3.581 to set criteria for use of property under the Port Commission's jurisdiction and provide that the Port Director may, in his or her sole discretion, appoint and remove heads of Commission divisions and bureaus, and amending Section B3.584, to require long-range capital and financial plans for the Port.

Continued to February 14, 2006.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

052009 **[Charter Amendment - Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs]** **Supervisors Daly, Ammiano, Maxwell, Mirkarimi**

Charter amendment (Third Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $20 million per year for the next four years to fund violence prevention programs identified in the Plan; and, set an expiration date.

(Fiscal impact.) (Supervisor Elsbernd Dissented in Committee)

Continued to February 14, 2006.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following

vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; expressed concern with issues related to the Middle East

John Moran, Representative, International Association of Machinists and Aerospace Workers; expressed concern about health insurance for employees working for two Municipal Transportatian subcontracts

Silas Telfor, MV Transportation Citizens Advisory Committee, and Chair of Passenger Advisory Committee; expressed cancern about MV contract

Alex Ladi, Board Chair, MV Transportation; expressed concern about MV Transportation contract (ADA Lift Van Provider)

Art Gonzalez, represents Municipal Transportatian Authority workers; expressed concern about MV Transpartation contract

Walter, District 6; showed card he received from Assessor to the Pope and March 4, 1887 San Francisco newspaper

Shona Gapener; discussed resolution for medical cannabis for someone in custody

Male Speaker; expressed concern about medical cannabis

Jonathan Beaver; thanked Baard for medical cannabis resolution

James Chafee; expressed concerns about library issues

Frankie Jefferson; expressed concern regarding the closure of Jahn Swett Alternative Elementary School

Chuck Lucas, Past President, John Swett Alternative School Parent Club; expressed concern regarding the closure of John Swett Alternative Elementary School

Robert Pender, Vice President, Parkmerced Residents Organization; expressed concern regarding issued to Parkmerced Apartments

Marnie Mendoza; thanked the Board of Supervisars

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

051360 **[Legislative Analyst Request - Means Testing]** **Supervisor Elsbernd**

Motion requesting the Legislative Analyst to survey means testing legislation for rent control in New York City, Boston and other municipalities in Massachusetts, and determine how means testing could be applied to the San Francisco Rent Control Ordinance.

Supervisor Elsbernd, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

060144 **[Legislative Analyst Request - Student Housing Regulations]** **Supervisor Elsbernd**

Motion requesting the Legislative Analyst to prepare a report on the following issue(s): As the need for student housing at San Francisco State University expands, area residents have expressed concerns regarding regulations. What policies do the cities of Berkeley, Santa Clara and Santa Cruz have in place to ensure the peaceful co-existence of students, universities, and area residents?

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060113 **[Supporting the Musicians of the San Francisco Symphony]** **Supervisors Ma, Ammiano**

Resolution supporting the Musicians of the San Francisco Symphony in their effort to be compensated at a level comparable to what musicians in other leading orchestras receive -- not more and not less.

Enacted 71-06

Number:
ADOPTED

060153 [Supporting Compassionate Use of Medical Cannabis] — Supervisors Ammiano, Mirkarimi, Peskin

Resolution supporting the compassionate use of medical cannabis for patients while in the custody of the City and County of San Francisco and other California counties, and reaffirming the right of Steven Wynn Kubby who requires the medicinal use of marijuana to remain in good health while in custody in the Placer County jail.

Enacted Number: 85-06
ADOPTED

060154 [Extension of Arts Task Force] — Supervisor Ammiano

Resolution extending the operations of the Arts Task Force through the implementation of the Arts Task Force recommendations.

Enacted Number: 77-06
ADOPTED

060155 [Supporting the California Energy Commission's recommendation for a cost/risk/benefit analysis of the State's continued reliance on aging nuclear facilities] — Supervisor Ammiano

Resolution supporting the California Energy Commission's recommendation for a cost/risk/benefit analysis of the state's continued reliance on aging nuclear facilities and to support the planning for our state's energy needs and decrease any risks from a radioactive release due to an act of terrorism, malice or insanity, or to earthquake or age-related accidents.

Enacted Number: 68-06
ADOPTED

060157 [Urging State Legislature and Governor to include funding in any state infrastructure bond placed before the voters in 2006] — Supervisors Daly, Dufty

Resolution urging the State Legislature and the Governor to include funding for the Caltrain downtown extension/Transbay Terminal Project and the Statewide High Speed rail system in any state infrastructure bond placed before the voters in 2006.

Enacted Number: 78-06

ADOPTED

060158 **[Commending Joseph B. Williams]** **Supervisors Dufty, Maxwell**

Resolution commending Joseph B. Williams on an outstanding career of law and Civic activism and wishing him the best of luck in all of his future endeavors.

Enacted Number: 72-06

ADOPTED

060159 **["National Black HIV/AIDS Awareness Day" in San Francisco]** **Supervisors Maxwell, Dufty, Mirkarimi**

Resolution proclaiming February 7th, 2006 as "National Black HIV/AIDS Awareness Day" in San Francisco.

Enacted Number: 73-06

ADOPTED

060161 **[Urging Governor Arnold Schwarzenegger and Senator Don Perata to support placing the $10 billion bond measure to fund a high-speed rail system between San Francisco and Los Angeles on the** **Supervisor Sandoval**

Resolution urging Governor Arnold Schwarzenegger and Senator Don Perata to support placing the $10 billion bond measure to fund a high-speed rail system between San Francisco and Los Angeles on the November 2006 ballot.

Enacted Number: 79-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Severed from Without Reference to Committee

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately

060121 [Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists] Supervisor McGoldrick

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

Continued to February 28, 2006

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately

060123 [Opposing the Closure to John Swett Alternative School] Supervisors Mirkarimi, Daly, Ammiano

Resolution opposing San Francisco's Board of Education's decision to close the John Swett Alternative School.

Enacted Number: 84-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Absent: 1 - Alioto-Pier

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately

060156 [Investigate and Impeach President Bush and Vice President Cheney] Supervisor Daly

Resolution calling for a full investigation, impeachment or resignation of President George W. Bush and Vice President Richard B. Cheney.

(Supervisor Elsbernd Dissented in Committee)

2/9/06- Transferred to the Rules Committee.

REFERRED to the Government Audit and Oversight Committee.

Supervisor Peskin requested that this matter be severed so that it might be considered separately

060160 **[Supporting transparency and accountability in setting refuse collection rates]** **Supervisor Peskin**

Resolution urging the Director of the Department of the Environment and the Director of the Department of Public Works to develop a detailed cost projection for proposed expenditures from the Solid Waste Impound Account over the proposed 2006-2011 residential refuse rate period and to make these materials available for review by the public.

REFERRED to the Budget and Finance Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved ADOPTION of the purely Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved ADOPTION of the purely Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

060168 **[Commending Sergeant Nicholas Rubino on the occasion of his retirement]** **Supervisor Dufty**

Resolution commending Sergeant Nicholas Rubino on the occasion of his retirement.

Enacted Number: 74-06

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or the Mayor

Ordinances

060165 **[To appropriate funding for San Francisco General Hospital operations, Public Health Department capital projects, and Laguna Honda Hospital operations]** **Mayor**

Ordinance appropriating $51,455,000 including $13,433,000 in surplus health revenues, $4,030,000 from surplus SB90 state revenues and $16,292,000 in General Fund surplus for salaries, fringe benefits, services of other departments and miscellaneous capital projects and the SFGH Rebuild EIR and planning at San Francisco General Hospital for a total of $33,755,000, appropriating $13,405,000 in surplus health revenues for salaries, fringe benefits, non-personal services at Laguna Honda Hospital, and fixtures, furniture and equipment for the Laguna Honda Hospital rebuild for a total of $13,405,000, appropriating $1,800,000 from PUC's Mayor's Energy Conservation Account for the SFGH Chiller and Generator project, de-appropriating $740,000 in General Fund dollars from the SFGH Chiller and Generator capital project and re-appropriating $740,000 to the Service Building Seismic Retrofit capital project, and appropriating $720,000 in surplus intradepartmental recoveries and $1,035,000 of surplus General Fund revenues for capital projects at Primary Care clinics for a total of $1,755,000 for the Public Health Department for Fiscal Year 2005-06.

(Fiscal impact.)

2/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060166 **[Increasing reporting requirements and liquidated damages and civil penalty provisions for violations of the First Source Hiring Program]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by: 1) amending section 83.6 to increase reporting requirements by the FSHA to include data reflecting the length of time qualified individuals remain employed under this Chapter; 2) amending sections 83.10 and 83.12 of the First Source

Hiring Program to increase the liquidated damages and civil penalty provisions from up to $2,500.00 to up to $5,000.00 for every new hire for an entry level position improperly withheld from the first source hiring process, and 3) amending section 83.10 by increasing the liquidated damages section to up to $10,000.00 for each violation discovered during a second investigation.

2/7/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/9/2006.

060169 **[Street closure barricades]** **Supervisor Peskin**

Ordinance amending the Section 807 of the Traffic Code to require sponsors of events involving street closure to procure and install barricades required to maintain public safety.

2/7/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/9/2006. 2/13/06 - 30 Day Rule waived by Board President.

060182 **[To appropriate $100,000 of funding from the General Fund Reserve to the Mayor's Office of Housing to support the assistance of Section 8 Housing and HUD-subsidized residents in the City and** **Supervisors Mirkarimi, Ammiano, Daly, Maxwell**

Ordinance appropriating $100,000 of funding from the General Fund Reserve to the Mayor's Office of Housing to support the assistance of Section 8 Housing and HUD-subsidized residents in the City and County of San Francisco for Fiscal Year 2005-2006.

2/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060188 **[Residential Hotels: Tenant Mail Receptacles]** **Supervisor Daly**

Ordinance amending the San Francisco Housing Code by amending Section 1002 and amending the San Francisco Administrative Code by adding Chapter 41E to require residential hotel owners to provide a United States Postal Service-approved mail receptacle for each residential unit and by amending Section 37.14 to provide for an appeal to the Rent Board for violation of this requirement; adopting findings pursuant to California Health and Safety Code Section 17958.5.

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

2/7/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/9/2006.

Resolutions

060167 **[Parking Regulations]** **Supervisor Dufty**

Resolution enacting angle parking regulations on the east side of Castro Street, between 25th and Jersey Streets.

45-DEGREE ANGLE PARKING - ESTABLISH
Castro Street, east side, between 25th and Jersey Streets.

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a

higher speed limit or result in more than a negligible increase in the use of the street.)

2/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060183 **[Reimbursement resolution for San Francisco General Hospital replacement project]** **Mayor**

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures relating to the San Francisco General Hospital replacement project from the proceeds of future indebtedness; and making related findings.

(Fiscal impact.)

2/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060184 **[STOP signs - Mason St. at Filbert]** **Supervisor Peskin**

Resolution designating the intersection of Mason Street at Filbert Street as a "STOP" intersection

STOP SIGN - ESTABLISH
Mason Street, stopping north and southbound at Filbert St.

2/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060185 **[Approve retroactively a new position funded by a recurring State grant for the period of FY 2005 through FY 2007]** **Supervisor Peskin**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), San Francisco Childhood Lead Prevention Program to fill a new position using existing and ongoing funds from a recurring State grant, for the period of July 1, 2005 through June 30, 2007.

2/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060186 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ), for Police Department computing environment and network infrastructure]** **Supervisor Ma**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $986,643 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of renovating the Police Department computing environment and network infrastructure for the new Records Management System (RMS) application. The new system will provide a more efficient work environment, more accurate information and enhanced safety for both the public and officers.

2/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060187 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ), for Violence Prevention Plan]** **Supervisor Ma**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $248,170 from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) through a subcontract with the University of California-San Francisco (UCSF) for the purpose of developing a city-wide Violence Prevention Plan.

2/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060189 **[Expend Federal Funding - Community Development Block Grant]** **Supervisors Alioto-Pier, Maxwell**

Resolution approving the expenditure of one million, six-hundred and twenty-four thousand, nine-hundred and eighty-five dollars and nine cents ($1,624,985.09) of Community Development Block Grant funding and Forty Six Thousand Two hundred and Sixty Dollars and Eighty One Cents ($46,260.81) of Emergency Shelter Grant funds.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060190 **[Funding for San Francisco-Oakland Bay Bridge Bicycle Pathway]** **Supervisor Daly**

Resolution urging the California State Legislature and the Governor to include funding for the San Francisco-Oakland Bay Bridge West Span Bicycle/Pedestrian/Maintenance Pathway Project in any state infrastructure bond placed before the voters in an upcoming election.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060191 **[Commemorative Plaque Designation - Jos, Sarria Court]** **Supervisor Dufty**

Resolution designating the public sidewalk fronting 3555 16th Street as eligible for the installation and maintenance of a commemorative plaque, pursuant to Public Works Code section 789.2(a), in order to honor Jos, Sarria, who is one of the most heroic, courageous and colorful and creative figures in San Francisco's history, and urging official actions in connection with this designation.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060193 **[Biodiesel Filling Station Permitting, Policies and Creation of Biodiesel Access Taskforce]** **Supervisor McGoldrick**

Resolution establishing a Biodiesel Access Taskforce to develop and recommend to the appropriate City departments, including the Board of Supervisors and Mayor, a permitting process for biodiesel filling stations and incentives for such stations to be located in the City; urging the San Francisco Unified School District to pursue the use of biodiesel blends in school buses; and establishing a City policy to request biodiesel usage in City contracts involving diesel fleets.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060194 **[Extended Producer Responsibility]** **Supervisor Mirkarimi**

Resolution urging San Francisco's State delegation to support statewide

efforts to hold producers responsible for product waste, starting with toxic products defined as universal waste; requesting the Department of the Environment recommend local extended producer responsibility policies as well as work with necessary agencies to develop producer responsibility language for inclusion in City contracts.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060195 **[Commending Deputy City Attorney Claire M. Sylvia]** — **Supervisors Peskin, Dufty**

Resolution commending Claire M. Sylvia for ten years of exemplary public service to San Francisco as a Deputy City Attorney and Head of the Ethics and Elections Team of the City Attorney's Office, and wishing her well in her future endeavors.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Supervisor Dufty requested to be added as co-sponsor.

060196 **[Supporting Filipino Veterans Equity Act]** — **Supervisors Peskin, Daly, Ma**

Resolution urging the President and the Congress of the United States of America to honor the contributions of Filipino World War II veterans by passing the Filipino Veterans Equity Act, specifically HR 4574.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060197 **[Support of the International Union of the Bricklayers and Allied Craftsworkers]** — **Supervisors Peskin, Daly**

Resolution commending and supporting the International Union of Bricklayers and Allied Craftsworkers and welcoming them for the 2006 Western States Brick and Tile Apprenticeship Contest to take place in Fisherman's Wharf, June 2-4 2006.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060150 **[Issuance and Sale of Revenue Bonds - Salvation Army Tenderloin Housing and Community Center]** — **Supervisor Daly**

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in one or more series issued from time to time and at no time to exceed $16,000,000 in outstanding aggregate principal amount, for the financing of the acquisition, construction and development of a multifamily rental housing project generally known as Salvation Army Tenderloin Housing and Community Center.

1/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Sponsor requests this item be placed for Adoption without Reference to Committee for Board consideration February 14, 2006.

Hearings

060170 [Audit report on the Human Services Agency Family and Children's Services Division (FCS).] Supervisor Ammiano

Hearing on the Controller's Office audit report on the Human Services Agency Family and Children's Services Division (FCS).

2/7/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060171 [Broadcast of the S.F. Board of Education meetings] Supervisor Ammiano

Hearing to inquire into the feasibility of the inclusion of the televised broadcast of the San Francisco Board of Education meetings as part of SFTV's regular broadcast schedule.

2/7/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060172 [Budget Updates] Supervisor Daly

Hearing to consider budget updates from Mayor, Controller, Budget Analyst, Office of Legislative Analyst and City Departments.

2/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060173 [Controller's quarterly overtime report] Supervisor Daly

Hearing to consider Controller's quarterly overtime report.

2/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060174 [Controller's audit of Family and Children's Services] Supervisors Ma, Maxwell

Hearing to consider Controller's audit of Family and Children's Services and to consider structural reforms of San Francisco's foster care delivery system, including reducing caseload levels.

2/7/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060180 [Paratransit Contracting Process] Supervisor Ma

Hearing to consider the process used by the Metropolitan Transportation Agency (MTA) in contracting for paratransit services.

2/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060181 [MUNI contracting paratransit services] Supervisors Maxwell, Dufty

Hearing to consider the MUNI contracting paratransit services.

2/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

060192 [Impound Account Analysis] Supervisor Ma

Motion directing the Budget Analyst to conduct a financial analysis of the Impound Account in the Department of the Environment on a priority basis, and to complete the analysis by March 28, 2006.

2/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by President on behalf of Departments

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

060119 **[Option Agreement for Sale of Surplus Property]**

Resolution approving an Option Agreement for sale of surplus lands located in Mountain View, Santa Clara County, California, under the jurisdiction of the San Francisco Public Utilities Commission ("SFPUC") to KMJ Urban Communities, LLC, a California limited liability company; adopting findings pursuant to the California Environmental Quality Act; and authorizing the Director of Property or the General Manager of the SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060129 **[Emergency contract to contain and abate hazardous material at the MUNI Woods Facility]**

Resolution approving an emergency public work contract to contain and abate a hazardous material diesel fuel spill at the MUNI Woods Facility. (Public Works Department)

(Fiscal impact.)

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060130 **[Emergency replacement of chiller at San Francisco General Hospital]**

Resolution approving an emergency public work contract of the replacement of a chiller at San Francisco General Hospital. (Public Works Department)

(Fiscal impact.)

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060131 **[Modification of Easement Deed]**

Resolution approving a modification to an existing Easement Deed between Pacific Gas & Electric Company, a California public utility, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC") for the realignment of an existing gas line on City land under the jurisdiction of the SFPUC located in Sunol, California. (Real Estate Department)

1/30/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works to report on the status of repairing the pothole on Fillmore Street between Fulton Street and McAllister Street near 940 Fillmore Street.

From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

To: Recreation and Park Commission

Requesting/Inquiring: Requesting the Recreation and Park Department and the Recreation and Park Commission to report on the decision to put current the RFP for the Japanese Tea Garden out to bid a second time. What if any new criteria is to be considered? What about the first RFP was deemed inadequate? What will the time frame of the contract time change?

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that creates a special use district for the JapanTown Center aimed at preserving the size and mix of existing uses.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the repair of a pothole at the intersection of Laguna and Waller Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of graffiti removal on parking signs near: 1263 Oak Street, 1267 Oak Street, 1473 Oak Street, and 1703 Oak Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repainting the "Sharrows" on Page Street between

Masonic and Baker Street.

From: Supervisor Mirkarimi

To: Director, Department of Public

Shau Fun Lue - Supervisor Sandoval

Sook Fong Gee - Supervisor Peskin

Richard L. Phipps - Supervisor Elsbernd

Marion Heimsoth - Supervisor Ammiano

Betty Friedan - Supervisor Alioto-Pier

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:56 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 14, 2006.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative

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翻譯 *必須在會議前最少四十八小時提出要求*
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ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
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Board of Supervisors

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72
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MEETING MINUTES

Tuesday, February 14, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll

all Supervisors were noted present.

There was a quorum.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

060030 **[Weights and Measures-Registration and Inspection Fees]** **Mayor**

Ordinance amending Section 1.13-5 of the San Francisco Administrative Code, to set new fees for the registration and inspection of weighing and measuring devices, based on each device and business location.

Enacted Number: 30-06

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

051795 **[Supporting plug-in hybrid vehicle technology]** **Supervisors Daly, Ma, Ammiano**

Resolution urging the Director of Administrative Services and the Director of Contract Administration to purchase plug-in hybrid vehicles for the city

fleet, and committing the City and County of San Francisco to support local, state and federal programs that support these vehicles and promote plug-in electric hybrid vehicles.

Enacted Number: 107-06

ADOPTED

060014 [Regional Isolation Facility for TB Patients] Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $50,000 from the State Department of Health Services TB Control Branch (SDHSTBCB), to enter into an agreement for the use of these funds, and to add one position at .33 FTE funded through this grant agreement; for the period of July 1, 2005, to June 30, 2006.

Enacted Number: 106-06

ADOPTED

060021 [Authorize grant funding for the YouthPOWER project from the Substance Abuse Mental Health Services Administration (SAMHSA)] Supervisors Maxwell, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a continuation grant from the Substance Abuse Mental Health Services Administration (SAMHSA) in the amount of $200,000 for the YouthPOWER Project; for the period of October 1, 2005, to September 30, 2007.

Enacted Number: 105-06

ADOPTED

060022 [To provide five state funded food and agriculture and pesticide regulation programs in San Francisco] Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend five grants in the total amount of $11,320 from the California Department of Food and Agriculture (CDFA) for the seed, nursery, and sudden oak death programs ($2,608) and the petroleum products program ($6,900); and from the California Department of Pesticide Regulation (CDPR) for the pesticide use reporting ($1,812) program, and to enter into agreements for the use of these funds; for the period of July 1, 2005 through June 30, 2006.

Enacted Number: 104-06

ADOPTED

060023 [Grant for supportive housing for chronically homeless exiting criminal justice institutions] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $739,982 from the Department of Justice (DOJ) for supportive housing for chronically homeless offenders, to enter into an agreement for the use of these funds, and to add 1.5 new positions funded under this agreement; for the period of July 1, 2005 to June 30, 2006.

Enacted Number: 103-06

ADOPTED

060024 [Grant to enhance capacity of local minority HIV/AIDS organizations] Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new federal grant in the amount of $271,665 from the Office of Minority Health (OMH) to enhance the capacity of local minority-based HIV/AIDS organizations, and to enter into an agreement for the use of these funds; for the period of September 1, 2005, to August 31, 2006.

Enacted Number: 102-06

ADOPTED

060025 [Accept-Expend Federal Grant - Spousal Abuser Prosecution Program] Supervisor Ma

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program" for fiscal year 2005/2006.

Enacted Number: 101-06

ADOPTED

060049 [Contract funds to receive reimbursement for children enrolled in the Healthy Kids insurance program] Supervisors Dufty, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a two year agreement with the California Managed Risk Medical Insurance Board (MRMIB) to receive reimbursement for children enrolled in the Healthy Kids insurance program, and expend funds in the amount of up to $4,378,351; for the period of July

1, 2005, through June 30, 2007. (Public Health Department)

Enacted Number: 100-06
ADOPTED

060056 [Contract funds to provide evaluations for the SAGE Health Education and Prevention Services Project] Supervisors Dufty, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with the SAGE Project, Inc., the primary contractor, and expend funds in the amount of $205,000 to provide local process and outcome evaluations for the SAGE Health Education and Prevention Services Project for the period of September 30, 2005, to September 29, 2010. (Public Health Department)

Enacted Number: 99-06
ADOPTED

060094 [Contract funds to develop an electronic reporting system for results of hepatitis testing] Supervisors Dufty, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to renew retroactively a contract agreement with Public Health Foundation Enterprises, Inc. (PHFE) the primary contractor, and expend funds in the amount of $141,413 to develop a secure electronic reporting system of hepatitis testing results; for the period of December 30, 2005 to December 29, 2006. (Public Health Department)

Enacted Number: 97-06
ADOPTED

060095 [Contract funds to conduct interviews and obtain data regarding pre-exposure prophylaxis use by MSM] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of $16,073 to conduct interviews and obtain data on pre-exposure prophylaxis use by MSM for the period of January 1, 2006, to April 30, 2006. (Public Health Department)

Enacted Number: 96-06
ADOPTED

Recommendation of the Land Use Committee

051443 **[Amending the Electrical Code regarding headroom requirements for panelboards, entrances for 1200 amp rated equipment, use of non-metallic sheathed cable in multifamily dwellings, and making**

Ordinance amending Articles 89, 100, 110, 210, 215, 220, 230, 250, 300, 333, 334, 336, 340, 348, 350, 352, 351, 348, 378, 331, 362, 384, 410, 411, 645, 700, 760, and 800 of the Electrical Code to make minor clerical changes for greater clarity, to extend the general requirement for headroom about panelboards to residential panelboards rated not more than 200 amps, to provide that equipment rated 1200 amps or more, regardless of width, requires an entrance to each end of the working space, to allow for non-metallic sheathed cable to be installed in multifamily dwellings with Type III, IV and V construction up to 4 stories in height, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Enacted Number: 32-06

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

051637 **[Subdivision Code - Planning Commission hearings on condominium conversions]** **Supervisor Daly**

Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on February 3, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before March 3, 2006.

Consideration of the Mayor's Veto.

Motion to override the Mayor's veto failed by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Excused: 1- Mirkarimi

From the Clerk

060139 **[Adopting findings related to the appeal of the mitigated negative declaration adopted by the Planning Commission on November 3, 2005 for 2660 Harrison Street]**

Motion adopting findings related to the appeal of the mitigated negative declaration adopted by the Planning Commission on November 3, 2005 for 2660 Harrison Street. (Clerk of the Board)

(Companion measure to Files 051936, 051937, 051938, 051939.)

Continued to February 28, 2006

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved to rescind the previous vote.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

APPROVED AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

Recommendation of the Budget and Finance Committee

051773 **[Public Financing for Mayoral Candidates]** **Supervisors Mirkarimi, Maxwell, Ammiano, Daly, McGoldrick, Ma**

Ordinance amending the Campaign and Governmental Conduct Code by amending sections 1.104, 1.108, 1.130, 1.134, 1.136, 1.138, 1.140, 1.142, 1.144, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and adding sections 1.134.5, 1.138.5, 1.140.5, 1.144.5 and 1.146 to create a public financing program for mayoral candidates, appropriate funding for the program and make other changes to the Campaign Finance Reform Ordinance.

(Fiscal impact.)

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 31-06

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

Recommendation of the Land Use Committee

051453 **[Off-Street Parking In C-3 Zoning Districts]** **Supervisors Peskin, Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161,166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site

permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Amended by changing the effective date of the legislation to June 1, 2006.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Ma, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

From the Land Use Committee Without Recommendation

050601 **[Better Neighborhoods Plus Planning and Implementation Process]** **Supervisors McGoldrick, Maxwell**

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Plus Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plus Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plus Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plus Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Continued to February 28, 2006

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that

this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

052009 **[Charter Amendment - Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs]** **Supervisors Daly, Ammiano, Maxwell, Mirkarimi**

Charter amendment (Third Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $20 million per year for the next four years to fund violence prevention programs identified in the Plan; and, set an expiration date.

(Fiscal impact.) (Supervisor Elsbernd Dissented in Committee)

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma

Charter amendment (Fourth Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date.

Continued to February 28, 2006

Board to Sit as a Committee of the Whole

CONTINUED AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

From the Rules Committee Without Recommendation

052010 [Charter Amendment - Providing for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District] Supervisor Daly

Charter Amendment (Second Draft) by amending Sections 8.100 and 8.101 to provide for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District, using 1983 as the base year.

Supervisor Daly, seconded by Supervisor Ma, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

052011 [Charter Amendment - Port Commission: qualifications and term limits for Port Commission members; increasing the number of Commission members from 5 to 7; criteria for use of Port property; Supervisor Peskin

Charter Amendment (Second Draft) to amend Section 4.114 to establish minimum qualifications for members of the Port Commission, impose term limits, increase the number of Commission members from five to seven, and limit hold-over appointments, amending Section 3.581 to set criteria for use of property under the Port Commission's jurisdiction and provide that the Port Director may, in his or her sole discretion, appoint and remove heads of Commission divisions and bureaus, and amending Section B3.584, to require long-range capital and financial plans for the Port.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051792 [Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee] Supervisors Maxwell, Dufty, Peskin, Ma, Mirkarimi

Ordinance amending the Administrative Code to add Chapter 26, ("Deemed Approved Off-Sale Alcohol Use Nuisance Regulations"), deeming all existing

non-conforming and permitted off-sale alcohol uses "approved;" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses; creating a list of performance standards that reflect existing local nuisance and related state and federal laws; providing for an education and outreach program; authorizing penalties for violation of performance standards including administrative penalties from $500 to $1000 or revocation of deemed approved status; providing for appeals of conditions or administrative penalties to the Board of Appeals; providing for appeals of the revocation of deemed approved status to the Board of Supervisors or the Board of Appeals; setting an annual fee of $264 for deemed approved off-sale alcohol uses; establishing a deemed approved off-sale alcohol use nuisance regulation continuing project accounts within the City's General Fund; and making environmental findings.

(Fiscal impact.)

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued as amended to February 28, 2006.

Supervisor Ma, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060205 **[Requiring Notice to Potential Buyers of Certain Deemed Approved Off-Sale Alcohol Uses Where the Use Has Violated the Performance Standards.]** — **Supervisors Daly, Ammiano**

Ordinance amending the ordinance Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee (Board File No. 051792) by amending Section 26.20 to require that the seller of a Deemed Approved Off-Sale Alcohol Use ("Use") provide certain notice to potential buyers of the Use if the Use has, within the past three years, been the subject of an administrative hearing at which a finding of violation of the Performance Standards was made, at which conditions were imposed on the Use's continued operations, and/or at which administrative penalties were imposed on the Use for violation of the Performance Standards; and making environmental findings.

Continued to February 28, 2006

Supervisor Ammiano requested to be added as a co-sponsor.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060087 **[Administrative Code Revision: Health Service System]** **Supervisors Elsbernd, Ammiano**

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

Supervisor Ammiano requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051981 **[2006 Water Revenue Refunding Bonds Issuance]**

Resolution approving the issuance of not to exceed $125,000,000 aggregate principal amount of San Francisco water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue refunding bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal impact.)

Enacted Number: 80-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051982 **[2006 Water Revenue Bonds Issuance]**

Resolution approving the issuance of not to exceed $525,000,000 aggregate principal amount of San Francisco water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal impact.)

Enacted Number: 81-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060058 **[Contract approval - Municipal Transportation Quality Review]**

Resolution approving the award and execution of San Francisco Municipal Railway Contract Number CCO 05-914, Municipal Quality Review, to Nelson\Nygaard Consulting Associates, to conduct the Quality Review required under Charter Section 8A.107, for a total contract amount not to exceed $50,000 and for a term of two years, with an option to extend up to an additional two years to cover the next review period. (Municipal Transportation Agency)

Enacted Number: 91-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060062 **[Establishing Monthly Contribution Amount]** **Supervisor Elsbernd**

Resolution establishing monthly contribution amount to Health Service Trust Fund.

(Fiscal impact.)

Enacted Number: 98-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

051715 **[Better Streets Policy]** **Mayor, Supervisors McGoldrick, Dufty**

Ordinance amending the Administrative Code to add Chapter 98, the Better Streets Policy; making environmental findings; authorizing and urging official acts in furtherance of this Ordinance; and requesting General Plan amendments to incorporate the Better Streets Policy and its supporting principles.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051920 **[Granting parking privileges on Baker Street for official vehicles of the Russian Consulate]** **Supervisor Alioto-Pier**

Ordinance amending Section 32.6.30 of the San Francisco Traffic Code to grant parking privileges for official vehicles of the Russian Consulate along

fifty three feet of the east side of Baker Street near the corner of Green Street.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051809 **[Liquor License, 222 Powell Street]**

Resolution determining that the issuance of a Type 42 On-Sale Beer and Wine Public Premises license and a Type 21 Off-Sale General license to Sirhed Enterprises LLC, for Gallery Market located at 222 Powell Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 86-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060005 **[Contract funds to support research on HIV/AIDS in under-researched populations]** **Supervisors Dufty, Ammiano, Maxwell, Mirkarimi**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into an agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of up to $74,920 in order to support research on HIV/AIDS in under-researched populations in California, and to add one 0.5 position funded under this agreement; for the period of July 1, 2005, to June 30, 2006. (Public Health Department)

Supervisors Ammiano, Maxwell and Mirkarimi requested to be added as co-sponsors.

Enacted Number: 108-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Supervisor Maxwell, welcomed and introduced Al Williams, President of the African American Historical Society. Mr. Williams made a presentation in recognition of celebrating February as Black History Month.

SPECIAL ORDER 4:00 P.M.

051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

The President inquired as to whether or not any member of the public wished to address the Board members.

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051853 [Affirming the categorical exemption issued for 730 Great Highway]

Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051854 [Disapproving the categorical exemption issued for 730 Great Highway]

Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051855 [Preparation of findings related to the categorical exemption issued for 730 Great Highway]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M

060007 [Public Hearing - Appeal of Categorical Exemption for No. 1 La Avanzada Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 10, 2005, granting a Categorical Exemption from the California Environmental Quality Act as Class 1 (Building Permit Application No. 2005 0606 4223), to install a fire suppression system to an

existing equipment building for Comcast, located at No. 1 La Avanzada Street. (Appellant: Walter Caplan, on behalf of Forest Knolls Neighborhood Organization, Liaison to Sutro Tower).

(Filed 1/9/06; companion measure to Files 060008, 060009, 0600010; District 7.)

The President inquired as to whether or not any member of the public wished to address the Board members.

Walter Caplan, Appellant, Forest Knolls Neighborhood Organization, Liaison to Sutro Tower

Doris Linnenboch, Midtown Homeowner's Association and Twin Peaks Council; support of appellant

Paul Maltzer, Planning Department, reviewed with the Board the Planning Department's recommendation.

Debra Stein, Attorney for the project sponsor

Robert McCarthy, Attorney for the project sponsor

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors ot, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060008 **[Affirming the categorical exemption issued for the 1 La Avanzada Street project]**

Motion affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M06-22

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Mirkarimi

060009 **[Disapproving the categorical exemption issued for the 1 La Avanzada Street project]**

Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

060010 **[Preparation of findings related to the 1 La Avanzada Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 1 La Avanzada Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M06-21

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

COMMITTEE REPORTS

060175 **[Appointment - Sweatfree Procurement Advisory Board]**

Resolution appointing Jason Oringer, Alicia Culver, Abigail Levine, Laura Juran, Dale Jiajun Wen, terms ending December 17, 2007, to the Sweatfree Procurement Advisory Board, residency requirement waived.

Jason Oringer, new appointment, seat 1, must have significant experience representing employees in labor matters, for the unexpired portion of a two-year term ending December 17, 2007. Alicia Culver (residency requirement waived), new appointment, seat 2, must have significant experience acquiring goods or services for a public entity, for the unexpired portion of a two-year term ending December 17, 2007. Abigail Levine, new appointment, seat 3, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a two-year term ending December 17, 2007. Laura Juran, new appointment, seat 4, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007. Dale Jiajun Wen, new appointment, seat 5, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.

Enacted Number: 92-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

052004 **[City and School District Off-Site Meetings]** **Supervisor Ammiano**

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, March 13; Monday, May 8; Monday July 10; Monday, September 11 and Monday, November 13, 2006, at 4:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Enacted Number: M06-19

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Kimo Crossman; expressed concern with issues relating the Tech Connect selection process

Walter: showed interest in Valentines Day

Children of San Francisco; expressed Valentine Day wishes to the Board of Supervisors

John di Donna; showed interest in human rights issues

Eugene Gordon,Jr.; showed interest in human rights issues

W.D. Flint, LVN,; expressed concern with issues relating to working conditions at the County Jails #1 and #2 and requesting an investigation into his complaints

Male speaker; expressed concerns with issues relating to certain hospital policies

James Chaffee: expressed concern with issues relating to the SF Library

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060150 **[Issuance and Sale of Revenue Bonds - Salvation Army Tenderloin Housing and Community Center]** — **Supervisor Daly**

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in one or more series issued from time to time and at no time to exceed $16,000,000 in outstanding aggregate principal amount, for the financing of the acquisition, construction and development of a multifamily rental housing project generally known as Salvation Army Tenderloin Housing and Community Center.

Enacted Number: 83-06
ADOPTED

060191 **[Commemorative Plaque Designation - Jos, Sarria Court]** — **Supervisor Dufty**

Resolution designating the public sidewalk fronting 3555 16th Street as eligible for the installation and maintenance of a commemorative plaque, pursuant to Public Works Code section 789.2(a), in order to honor Jos, Sarria, who is one of the most heroic, courageous and colorful and creative figures in San Francisco's history, and urging official actions in connection with this designation.

Enacted Number: 88-06
ADOPTED

060189 **[Expend Federal Funding - Community Development Block Grant]** — **Supervisors Alioto-Pier, Maxwell**

Resolution approving the expenditure of one million, six-hundred and twenty-four thousand, nine-hundred and eighty-five dollars and nine cents ($1,624,985.09) of Community Development Block Grant funding and Forty Six Thousand Two hundred and Sixty Dollars and Eighty One Cents ($46,260.81) of Emergency Shelter Grant funds.

Enacted Number: 95-06
ADOPTED

060190 [Funding for San Francisco-Oakland Bay Bridge Bicycle Pathway] Supervisor Daly

Resolution urging the California State Legislature and the Governor to include funding for the San Francisco-Oakland Bay Bridge West Span Bicycle/Pedestrian/Maintenance Pathway Project in any state infrastructure bond placed before the voters in an upcoming election.

Enacted Number: 89-06

ADOPTED

060193 [Biodiesel Filling Station Permitting, Policies and Creation of Biodiesel Access Taskforce] Supervisor McGoldrick

Resolution establishing a Biodiesel Access Taskforce to develop and recommend to the appropriate City departments, including the Board of Supervisors and Mayor, a permitting process for biodiesel filling stations and incentives for such stations to be located in the City; urging the San Francisco Unified School District to pursue the use of biodiesel blends in school buses; and establishing a City policy to request biodiesel usage in City contracts involving diesel fleets.

Enacted Number: 82-06

ADOPTED

060194 [Extended Producer Responsibility] Supervisor Mirkarimi

Resolution urging San Francisco's State delegation to support statewide efforts to hold producers responsible for product waste, starting with toxic products defined as universal waste; requesting the Department of the Environment recommend local extended producer responsibility policies as well as work with necessary agencies to develop producer responsibility language for inclusion in City contracts.

Enacted Number: 94-06

ADOPTED

060195 [Commending Deputy City Attorney Claire M. Sylvia] Supervisors Peskin, Dufty

Resolution commending Claire M. Sylvia for ten years of exemplary public service to San Francisco as a Deputy City Attorney and Head of the Ethics and Elections Team of the City Attorney's Office, and wishing her well in her future endeavors.

Enacted Number: 93-06

ADOPTED

060196 [Supporting Filipino Veterans Equity Act] Supervisors Peskin, Daly, Ma

Resolution urging the President and the Congress of the United States of America to honor the contributions of Filipino World War II veterans by passing the Filipino Veterans Equity Act, specifically HR 4574.

Supervisors Daly and Ma requested to be added as co-sponsors.

Enacted Number: 90-06

ADOPTED

060197 [Support of the International Union of the Bricklayers and Allied Craftsworkers] Supervisors Peskin, Daly

Resolution commending and supporting the International Union of Bricklayers and Allied Craftsworkers and welcoming them for the 2006 Western States Brick and Tile Apprenticeship Contest to take place in Fisherman's Wharf, June 2-4 2006.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 87-06

ADOPTED

060135 [Final Map, Planned Development, Mission Bay]

Motion approving Final Map Tract No. 3936 for residential and commercial condominium purposes, Mission Bay Blocks 2-7 and 13, a twenty (20) lot subdivision, being Phase I of a Planned Development Subdivision of Assessor's Blocks 8710, Lot 4; 8711 Lot 12; 8712, Lot 1; 8713, Lot 1 and a portion of recently vacated Fourth Street; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)

Enacted Number: M06-23

APPROVED

PASS THE CONSENT AGENDA by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Ma assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

Severed From the Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

060192 **[Impound Account Analysis]** **Supervisor Ma**

Motion directing the Budget Analyst to conduct a financial analysis of the Impound Account in the Department of the Environment on a priority basis, and to complete the analysis by March 28, 2006.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

060212 **[Zoning - Three Month Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]** **Supervisors Ammiano, Dufty, Daly, Mirkarimi**

Urgency Ordinance approving a 22 month and 15 day extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

2/14/06, ASSIGNED to Board of Supervisors.

060215 **[To appropriate $4,910,000 of funding from the General Fund Reserve and de-appropriate savings to fund cost overruns in the Police Department for Fiscal Year 2005-2006.]** **Supervisor Daly**

Ordinance appropriating $7,000,000, including $5,660,000 of funding from the General Fund Reserve and de-appropriating $1,300,000 in workers' compensation savings and $40,000 in permanent miscellaneous salary cost

savings, to fund the cost overruns of overtime in the Police Department for Fiscal Year 2005-06.

(Fiscal impact.)

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060216 **[To appropriate funding for San Francisco General Hospital operations and capital projects, Laguna Honda Hospital operations and Department of Public Health operations]** — Supervisors Daly, Mirkarimi

Ordinance appropriating $15,205,000 to the Department of Public Health, including $10,555,000 in surplus health revenues from San Francisco General Hospital (SFGH), de-appropriating $740,000 in General Fund dollars from the SFGH Chiller and Generator capital project, and $3,910,000 in Laguna Honda Hospital Medical In-Patient Revenue; and appropriating the $10,555,000 in surplus health revenues for SFGH salaries, fringe benefits, non-personnel services, and capital improvements to the SFGH Service Building, and re-appropriating $740,000 to the Service Building Seismic Retrofit capital project, and appropriating $3,910,000 for salaries, fringe benefits, non-personnel, and security at Laguna Honda Hospital.

(Fiscal impact.)

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060217 **[Reporting Sources of Gifts of Travel]** — Supervisors Sandoval, Ammiano

Ordinance amending Article III, Chapter 2 of the San Francisco Campaign and Governmental Conduct Code, by amending section 3.216 to impose reporting requirements for gifts of travel to public officials from persons and entities other than the City.

2/14/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/16/2006.

060223 **[MOU - Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]** — Mayor

Ordinance adopting and implementing Amendment No. 2, the negotiated agreement that amends the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by amending the parties' agreement to reflect wages, hours and working conditions for classification H-3 EMT/Paramedic/Firefighter.

2/14/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060224 **[Requirement to provide minimum information for environmental evaluation application and initial study]** — Supervisor Peskin

Draft Ordinance amending the San Francisco Administrative Code by amending Section 31.10 to require certain minimum information to be provided in an environmental evaluation application and an initial study under the California Environmental Quality Act.

2/14/06, RECEIVED AND ASSIGNED to Rules Committee.

060225 **[To appropriate $16,515,158 to fund cost overruns and expanded services at the Police Department and violence prevention investments at various departments for Fiscal Year 2005-2006]** Supervisor Ma

To appropriate $16,515,158 to fund salary and fringe overruns and expanded services at the Police Department and violence prevention programming and investments in the Department of Children, Youth and Their Families, Recreation and Park, Juvenile Probation, Mayor's Office of Criminal Justice, Public Library, Department of Public Works, Telecommunications and Information Services, and the District Attorney for Fiscal Year 2005-2006. Sources of funds include $10,383,410 from the Unappropriated General Fund Balance, $2,310,000 from the Fiscal Year 2005-2006 Children's Baseline Growth, $1,180,000 from the Fiscal Year 2004-2005 Children's Baseline Reserve, $666,748 from the Fiscal Year 2004-2005 Public Library Baseline Reserve, $175,000 from the Open Space Fund Projected Fiscal Year 2005-2006 Growth, and $1,800,000 from the Open Space Fund Unappropriated Fund Balance. Uses of funds includes $8,500,410 for the Police Department, $2,300,000 for the Children, Youth and Their Families, $1,975,000 for Recreation and Park, $1,840,000 for Juvenile Probation, $666,748 for Public Library, $483,000 for Mayor the Mayor' Office of Criminal Justice, $300,000 for the Department of Public Works, $250,000 for Telecommunications and Information Services, and $200,000 for the District Attorney.

(Fiscal impact.)

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060226 **[To appropriate $6,565,452 to fund the Juvenile Hall Youth Guidance Center Project construction, and to appropriate $1,900,000 for Fire Station No. 24 for the Department of Public Works for** Mayor

Ordinance appropriating $6,565,452, including the de-appropriation of $1,900,000 from the Earthquake Safety Improvement Bonds Phase 1 proceeds, $2,591,458 from the Juvenile Hall Replacement Project COP Reserve/Surety Bond Funds, $1,503,000 from General Fund Capital Program Projects, $453,000 from workers' compensation savings, and $117,994 from Juvenile Hall California Youth Authority General Fund operational savings, to fund the City and County of San Francisco Juvenile Hall Youth Guidance Center Project construction. Additionally, appropriating $1,900,000 of Fire Bond proceeds to fund construction expenses for Fire Station No. 24 for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060227 **[Electronic Reports of Campaign Contributions]** Mayor

Ordinance adding section 1.112.5 to Article I, Chapter 1 of the Campaign and Governmental Conduct Code to require electronic disclosure of campaign contributions received by candidates for City Elective Office during the final forty-five days before an election at which the candidate's name will appear on the ballot.

2/14/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on

3/16/2006.

060083 [Public Works Code - enclosure of garbage receptacles] Supervisor McGoldrick

Ordinance amending Public Works Code Section 170 to require replacement of garbage receptacles after collection into an enclosed area or other area the blocks views of the receptacle from the public right-of-way; and making environmental findings.

1/24/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/23/2006.

2/6/06, REFERRED TO DEPARTMENT. Referred to Department of Public Works for informational purposes.

2/14/06, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing same title.

2/14/06, ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

060214 [Parking Regulations, Various Locations] Supervisor Elsbernd

Resolution enacting and rescinding parking regulations at various locations.

TALL VEHICLE RESTRICTION, 100 FEET FROM INTERSECTIONS - ESTABLISH
Sloat Boulevard, south side, from the Lakeshore Plaza traffic signal to 20 feet west of the Everglade Drive intersection.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Sloat Boulevard, south side, from Everglade Drive to 20 feet westerly.

(2/14/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

2/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060218 [Mission Bay - Pier 64 Cost Reimbursement Agreement] Mayor, Supervisor Daly

Resolution approving the Cost Reimbursment Agreement between the City and County of San Francisco, and Atlantic Richfield Company, Texaco Inc., Chevron U.S.A. Inc. and Union Oil Company of California for the management of residual petroleum hydrocarbons on City Property in certain areas of Mission Bay.

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060228 [Grant to develop clinical guidelines for HIV positive transgender persons] Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new federal grant in the

amount of $110,343 from the Health Resources and Services Administration (HRSA) to develop clinical guidelines for HIV positive transgender persons, and to enter into an agreement for the use of these funds; for the period of September 30, 2005, to September 29, 2006.

2/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the March 6, 2006 meeting.

060231 **[Commending Lucille Burlew-Lawler]** **Supervisors Dufty, Elsbernd**

Resolution commending Lucille Burlew-Lawler for 28 years of outstanding and dedicated service to the Department of Public Health and the people of San Francisco.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060232 **[Commending Eugene Coleman]** **Supervisor Maxwell**

Resolution commending Eugene Coleman for his dedication and exemplary service to the residents of San Francisco and proclaiming February 21, 2006 as Eugene Coleman Day in San Francisco.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060233 **[Accept-Expend Grant - Juvenile Probation Department]** **Supervisor Maxwell**

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $50,000 from the Zellerbach Family Foundation to support organizational development activities at the Juvenile Probation Department and to fund technical assistance for planning for such organizational change.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060234 **[Supporting Eddy Zheng's application to remain lawfully in the United States]** **Supervisors McGoldrick, Peskin, Ammiano**

Resolution urging the Department of Justice to grant Xiao Fei ("Eddy") Zheng's application to remain lawfully in the United States and calling on the Department of Homeland Security to exercise its discretion not to appeal the grant of a waiver that would allow Eddy Zheng to remain in the United States.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060235 **[California Seismic Safety Commission]** **Supervisors Peskin, Elsbernd**

Resolution urging California Governor Arnold Schwarzenegger to withdraw his proposal to eliminate funding for the California Seismic Safety Commission.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060236 [Gift-In-Place to Recreation and Park Department] Supervisor Peskin

Resolution accepting and expending a gift-in-place valued at $40,000 from the Union Square Association to the Recreation and Park Department for use in Union Square.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060237 [Commending the "Love Your Playground" volunteers and the Neighborhood Parks Council] Supervisors Sandoval, Dufty

Resolution commending the volunteers who participated in the "Love Your Playground" program and the Neighborhood Parks Council for conducting the survey.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060210 [Voting Systems] Supervisor Mirkarimi

Hearing to assess progress in readying voting equipment from newly selected vendor Sequoia Voting Systems in advance of the upcoming June election.

2/14/06, RECEIVED AND ASSIGNED to Rules Committee.

060211 [Charter amendment (Fourth Draft) to add Section 16.126]

Hearing to consider a charter amendment (Fourth Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date. (Clerk of the Board)

2/14/06, ASSIGNED to Board of Supervisors.

060213 [Hearing - 22-Month and 15 Day Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]

Hearing to consider the possible adoption of an urgency Ordinance approving a 22 month and 15 day extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings. (Clerk of the Board)

2/14/06, ASSIGNED to Board of Supervisors. Pursuant to File 060212, Board to sit as a Committee of the Whole on February 28, 2006, at 3:00 p.m.

060219 [MTA decision to award the Mission Bartlett Garage Contract to Pacific Park Management.] Supervisor Ammiano

Hearing to inquire into the Metropolitan Transportation Agency's (MTA) decision to award the Mission Bartlett Garage Contract to Pacific Park Management.

2/14/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060220 **[MTA preliminary budget]** **Supervisor Daly**

Hearing on the Metropolitan Transportation preliminary budget.

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060221 **[Recreation and Parks Department budget cuts]** **Supervisor McGoldrick**

Hearing to consider restoring the cuts to Recreation and Parks Department that affected closures of Recreation and Park facilities.

2/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060222 **[City Build Employment Program]** **Supervisor Mirkarimi**

Hearing on the status and future of City Build Employment Program.

2/14/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

060229 **[Report for Interim Zoning Moratorium on New Check Cashing and Payday Lender Uses]** **Supervisor Ammiano**

Motion adopting and issuing the Planning Department's report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on new check cashing and payday lender uses.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060230 **[Board of Supervisors Committee of the Whole - February 28, 2006 3:00 p.m. - Extension of interim zoning moratorium New Check Cashing and Payday Lenders Uses]** **Supervisor Ammiano**

Motion for the Board of Supervisors to convene as a committee of the whole on February 28, 2006, at 3:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending the interim zoning moratorium for 22 months and 15 days on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

060132 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
26th and Capp Streets, stopping 26th Street, making this intersection an All-Way STOP;
Vallejo and Baker Streets, stopping Vallejo Street, making this intersection an All-Way STOP;
Myra Way and Molimo Drive, stopping Molimo Drive at Myra Way, making this intersection an All-Way STOP;
Peabody Street and Visitacion Avenue, stopping Visitacion Avenue, making this intersection an All-Way STOP;
Westbound 25th Avenue North at 25th Avenue, making this T intersection an All-Way STOP;
Eastbound Seacliff Avenue at 25th Avenue, making this T-intersection an All-Way STOP;
Northbound 26th Avenue at Seacliff Avenue, making this T-intersection an All-Way STOP;
Murray Street at Crescent Avenue, stopping Murray Street, stopping the stem of this T-intersection;
Washburn Street, stopping Washburn Street at Howard Street;
Dore Street, stopping Dore Street at Folsom Street; and,
Grace Street, stopping Grace Street at Mission Street. (Parking and Traffic Department)

(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

2/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060133 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME, 7 AM TO 3 PM, MONDAY THROUGH FRIDAY - RESCIND
Pine Street, south side, from Montgomery Street to 155 feet easterly (creates new metered parking, but maintains Tow-Away 3 PM to 7 PM, Monday through Friday).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lake Merced Boulevard, northbound, right turn lane onto Font Boulevard to the limit of the existing angle parking on the south side of Font Boulevard.

4-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - RESCIND
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

2-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - ESTABLISH
Mississippi Street, east side, between Cesar Chavez and northern terminus.

TOW-AWAY, NO PARKING - ESTABLISH
Mississippi Street, west side, between Cesar Chavez Street and northern terminus.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Irwin Street, north side, between 7th and 8th Streets.

TOW-AWAY, NO PARKING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
17th Street, north side, from 25 to 58 feet east of Utah Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
1122 Folsom Street, north side, from Langton Street to 48 feet westerly; and,
1168 Folsom Street, north side, from the west property line to the east property line (50-foot zone) (both parking restrictions are in conjunction with implementation of sidewalk bulbs).

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Franklin Street, west side, from Turk Street to Golden Gate Avenue (replaces existing tow-away regulations).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Franklin Street, west side, from Turk Street to 80 feet northerly.

TOW-AWAY, LANE MUST TURN LEFT - RESCIND
Franklin Street, northbound, at Turk Street.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH
Rodgers Street, east side, between Folsom Street and the southern terminus (unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
San Jose Avenue, east side, from 10 feet north of the north crosswalk at Farallones Street to 190 feet southerly;
San Jose Avenue, west side, from Farallones Street to 173 feet northerly;
San Jose Avenue, east side, from Lakeview Avenue to 150 feet southerly;
San Jose Avenue, west side, from Lakeview Avenue to 150 feet northerly;
San Jose Avenue, east side, from 50 feet north of the northern crosswalk at Mount Vernon Avenue to 260 feet southerly;
San Jose Avenue, west side, from Mount Vernon Avenue to 178 feet northerly; and,
McCoppin Street, south side, between Market Street and Elgin Park

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fillmore Street, east side, at the O'Farrell Street intersection (36 foot zone

accommodating 10 unmetered motorcycle parking spaces).

PARKING METER AREA 3 (9AM-6PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Parker Avenue, west side, from

2/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060134 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (SOUTHBOUND) - RESCIND
Elgin Park, between McCoppin Street and Duboce Avenue

ONE-WAY STREET (EASTBOUND) - RESCIND
ONE-WAY STREET (WESTBOUND) - ESTABLISH
McCoppin Street,between Market Street and Elgin Park

BICYCLE LANES - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

BICYCLE LANES - ESTABLISH
Laguna Honda Boulevard, both sides, between Portola Drive and Vasquez Avenue

LEFT TURN BIKE LANE - ESTABLISH
Laguna Honda Boulevard, southbound, between Ulloa Street and Portola Drive

BICYCLE LANES - EXTEND
Potrero Avenue, southbound, from 120 feet south of 25th Street to Cesar Chavez Street.

NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Southbound Masonic Avenue at Grove Street.

NO LEFT TURN, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Northbound Masonic Avenue at Grove Street (Parking and Traffic Department)

(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

2/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to

report on the status of completely removing the sawed-off parking sign poles at 1280 Webster Street in front of the parking lot.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing the sidewalk at 1280 Webster Street in front of the church and near the parking lot.

From: Supervisor Mirkarimi

To: Director, Redevelopment Agency

Requesting/Inquiring: Requesting the Redevelopment Agency to repart on the status of the upkeep and maintenance of the property located at 1210 Scott Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of reattaching the parking street sign at the intersection of Fillmore Street and McAllister Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following locations: Light boxes located at Divisadero and Haight, Masanic and Ellis, Masonic and Haight, and Fulton and Baker (northwest corner). Parking Signs on Haight between Fillmore and Webster, both sides of the street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following buildings: 1555 Golden Gate Street, 1750 Golden Gate Street, 625 Haight Street, 680 Haight Street, 901 Haight Street, 959 Haight Street, 973 Haight Street, 1351

In Memoriams

Chad Ferriera - Supervisor Ammiano

Sinead (Shiels) Daly - Supervisor Elsbernd

Mary Lou Uland - Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:08 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 14, 2006.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
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AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

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City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, February 28, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Alioto-Pier, seconded by Supervisor Daly, moved to approve January 10, 2006, January 24, 2006 and January 31, 2006 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

060087 **[Administrative Code Revision: Health Service System]** **Supervisors Elsbernd, Ammiano**

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

Enacted Number: 35-06

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

051715 [Better Streets Policy] Mayor, Supervisors McGoldrick, Dufty

Ordinance amending the Administrative Code to add Chapter 98, the Better Streets Policy; making environmental findings; authorizing and urging official acts in furtherance of this Ordinance; and requesting General Plan amendments to incorporate the Better Streets Policy and its supporting principles.

Enacted Number: 33-06

FINALLY PASSED

051920 [Granting parking privileges on Baker Street for official vehicles of the Russian Consulate] Supervisor Alioto-Pier

Ordinance amending Section 32.6.30 of the San Francisco Traffic Code to grant parking privileges for official vehicles of the Russian Consulate along fifty three feet of the east side of Baker Street near the corner of Green Street.

Enacted Number: 29-06

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

052047 [Quitclaim of Water Pipeline Easement]

Resolution approving the quitclaim of a water pipeline easement located at 1410 El Camino Real, South San Francisco, San Mateo County to the owner of the underlying fee interest in the property for a purchase price of $30,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale by quitclaim is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Real Estate Department)

Enacted Number: 124-06

ADOPTED

Recommendations of the Rules Committee

060006 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance authorizing settlement of a claim filed by Pacific Gas & Electric Company (PG&E) against the City and County of San Francisco (City) and a complaint filed by the City against PG&E. PG&E's claim was filed on April 9, 2004, in the United States Bankruptcy Court and amended on June 1 and June 11, 2004, Case No. 01-30923-DM, Adversary Proceeding No. 04-3071. The City's complaint against PG&E was filed on June 29, 2005 at the Federal Energy Regulatory Commission, Docket No. EL05-133-000.

PASSED, ON FIRST READING

060097 [Settlement of Lawsuit - Maria Castillo]

Ordinance authorizing settlement of the lawsuit filed by Maria Castillo against the City and County of San Francisco for $40,000; the lawsuit was filed on January 18, 2005 in San Francisco Superior Court, Case No. 437-830; entitled Maria Castillo, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

060099 [Settlement of Lawsuit and Grievance - Gary Thompson]

Ordinance authorizing settlement of the lawsuit filed by Gary Thompson and the grievance filed by his Union, Service Employees Service Employees International Union, Local 790, against the City and County of San Francisco for $199,000; the lawsuit was filed on May 14, 2003 in United States District Court, Northern District of California, Case No. CV-03-02243-WDB and is entitled Gary Thompson v. City and County of San Francisco, et al; the grievance was filed on August 28, 2003 and is entitled Service Employees International Union, Local 790 v. City and County of San Francisco, ERD No. 12-03-1143. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

052044 [Settlement of Lawsuit - Mary Williams]

Ordinance authorizing settlement of the matter of Mary Williams v. City and County of San Francisco for $225,000. The lawsuit was filed on November 5, 2004 in San Francisco Superior Court, Case No. 436-121; entitled Mary Williams v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060176 **[Appointment - Veterans Affairs Commission]**

Resolution appointing Edwin Wilkerson, term ending January 31, 2007, to the Veterans Affairs Commission.

Edwin Wilkerson, succeeding Aaron Zeff, resigned, seat 11, must be an at large appointment, for the unexpired portion of a four-year term ending January 31, 2007.

Enacted Number: 119-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060177 **[Appointment - In-Home Supportive Services Public Authority]**

Resolution appointing Anita Aaron, term ending March 1, 2009, to the In-Home Supportive Services Public Authority.

Anita Aaron, succeeding Ray del Portillo, term expiring March 1, 2006, seat 7, must be a member of the Commission on the Aging, recommended to the Board by the Commission, for a three-year term ending March 1, 2009.

Enacted Number: 118-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

060238 **[Adopting findings related to affirming the categorical exemption issued for the 1 La Avanzada Street project]**

Motion adopting findings related to affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

(Companion measure to Files 060007, 060008, 060009, 060010.)

Enacted Number: M06-25

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Budget and Finance Committee

051792 **[Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee]** **Supervisors Maxwell, Dufty, Peskin, Ma, Mirkarimi**

Ordinance amending the Administrative Code to add Chapter 26, ("Deemed Approved Off-Sale Alcohol Use Nuisance Regulations"), deeming all existing non-conforming and permitted off-sale alcohol uses "approved;" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses; creating a list of performance standards that reflect existing local nuisance and related state and federal laws; providing for an education and outreach program; authorizing penalties for violation of performance standards including administrative penalties from $500 to $1000 or revocation of deemed approved status; providing for appeals of conditions or administrative penalties to the Board of Appeals; providing for appeals of the revocation of deemed approved status to the Board of Supervisors or the Board of Appeals; setting an annual fee of $264 for deemed approved off-sale alcohol uses; establishing a deemed approved off-sale alcohol use nuisance regulation continuing project accounts within the City's General Fund; and making environmental findings.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ma, seconded by Supervisor Mirkarimi, moved to amend section 26.12 after "(a)" by adding new sections "(1) and (2)"; and further amended by Supervisor Daly.

Motion to amend Sec. 26.12 failed by the following vote:

Ayes: 4 - Daly, Ma, Mirkarimi, Sandoval

Noes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin,

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

060205 **[Requiring Notice to Potential Buyers of Certain Deemed Approved Off-Sale Alcohol Uses Where the Use Has Violated the Performance Standards.]** — **Supervisors Daly, Ammiano**

Ordinance amending the ordinance Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee (Board File No. 051792) by amending Section 26.20 to require that the seller of a Deemed Approved Off-Sale Alcohol Use ("Use") provide certain notice to potential buyers of the Use if the Use has, within the past three years, been the subject of an administrative hearing at which a finding of violation of the Performance Standards was made, at which conditions were imposed on the Use's continued operations, and/or at which administrative penalties were imposed on the Use for violation of the Performance Standards; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Recommendation of the Land Use Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

051453 [Off-Street Parking In C-3 Zoning Districts] Supervisors Peskin, Daly

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161,166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on March 10, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before April 10, 2006.

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

From the Land Use Committee Without Recommendation

Appointment of President Pro Tempore

At the request of the President, Supervisor Mirkarimi assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

050601 [Better Neighborhoods Plus Planning and Implementation Process] Supervisors McGoldrick, Maxwell

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Plus Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plus Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better

Neighborhoods Plus Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plus Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved an amendment of the whole bearing same title. Further amended on page 7, by deleting "(D)" and on page 9, line 16, by adding "(d)'.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Re-Referred as amended.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Daly, Ma

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060076 **[To appropriate $5,216,754 to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for DPW for Fiscal Year 2005-06]** Mayor

Ordinance appropriating $5,216,754 of Fiscal Year 2005-2006 State Traffic Congestion Relief Funds to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for the Department of Public

Works for Fiscal Year 2005-2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051960 **[Authorizing the Committee on Information Technology to amend its contract with En Pointe Technologies to exceed $10 million]** **Supervisor Daly**

Resolution authorizing the Committee on Information Technology to enter into the Third Amendment between the City and En Pointe Technologies (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over $10 million.

Enacted Number: 126-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051961 **[Authorizing the Committee on Information Technology to amend its contract with Xtech to exceed $10 million]** **Supervisor Daly**

Resolution authorizing the Committee on Information Technology to enter into the Third Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's anticipated expenditures to over $10 million.

Enacted Number: 125-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060080 **[Waterline Relocation Agreement with Mills Peninsula Health Services]** **Supervisor Dufty**

Resolution approving and authorizing the execution and delivery of a Waterline Relocation Agreement with Mills Peninsula Health Services; authorizing the exchange of real property interests in the City of Burlingame, San Mateo County following the completion of construction of a new water pipeline; adopting findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and adopting environmental findings.

Enacted Number: 122-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060096 **[Lease of Real Property located at One Market Plaza]**

Resolution authorizing the renewal of a lease of 20,677 sq. ft. of space including related auxiliary spaces at One Market Plaza for the Department of Telecommunications and Information Services. (Real Estate Department)

Enacted Number: 121-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

060119 **[Option Agreement for Sale of Surplus Property]**

Resolution approving an Option Agreement for sale of surplus lands located in Mountain View, Santa Clara County, California, under the jurisdiction of the San Francisco Public Utilities Commission ("SFPUC") to KMJ Urban Communities, LLC, a California limited liability company; adopting findings pursuant to the California Environmental Quality Act; and authorizing the Director of Property or the General Manager of the SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Enacted Number: 120-06

ADOPTED by the following vote:

Ayes: 5 - Alioto-Pier, Elsbernd, Ma, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, McGoldrick, Mirkarimi
Absent: 2 - Dufty, Maxwell

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to rescind the previous vote.

Motion to rescind the previous vote carried without objection.

ADOPTED by the following vote:

Ayes: 6 - Alioto-Pier, Elsbernd, Ma, Maxwell, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, McGoldrick, Mirkarimi

Absent: 1 - Dufty

Recommendations of the City Operations and Neighborhood Services Committee

051918 [SoMa Senior Community Committee for Livable Streets] Supervisor Daly

Resolution urging the creation of the SoMa Senior Community Committee for Livable Streets.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to re-refer this matter to the Budget & Finance Committee.

Motion to re-refer to the Budget & Finance Committee failed by the following vote:

Ayes: 4 - Alioto-Pier, Elsbernd, Ma, Maxwell

Noes: 6 - Ammiano, Daly, Dufty, Mirkarimi, Peskin, Sandoval

Absent: - 1 - McGoldrick

Enacted Number: 110-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

060185 [Approve retroactively a new position funded by a recurring State grant for the period of FY 2005 through FY 2007] Supervisor Peskin

Resolution authorizing retroactively the San Francisco Department of Public Health (SFDPH), San Francisco Childhood Lead Prevention Program to fill a new position using existing and ongoing funds from a recurring State grant, for the period of July 1, 2005 through June 30, 2007.

Enacted Number: 117-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

051562 [Zoning Map Amendment in connection with Supervisor Maxwell

Third Street and Oakdale Avenue Affordable Housing Special Use District]

Ordinance amending Zoning Map Section 10 and 10SU of the City and County of San Francisco for the property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051563 **[Third Street and Oakdale Avenue Affordable Housing Special Use District]** **Supervisor Maxwell**

Ordinance adding Planning Code Section 249.30 to establishing the Third Street and Oakdale Avenue Affordable Housing Special Use District for property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street, and making findings including findings under the California Environmental Quality Act and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060054 **[MUNI Operator restrooms at various locations]**

Resolution granting revocable permission to Municipal Transportation Agency (MTA), to occupy a portion of the public right-of-way to install and maintain one (1) MUNI Operator Restroom at each of the following locations: within an existing traffic island on Geneva Avenue at Munich Street; on the westerly sidewalk of Main Street, southerly of Howard Street; on the easterly sidewalk of Main Street, northerly of Mission Street, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

Enacted Number: 123-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

060156 **[Investigate and Impeach President Bush and Vice President Cheney]** **Supervisor Daly**

Resolution calling for a full investigation, impeachment or resignation of President George W. Bush and Vice President Richard B. Cheney.

(Supervisor Elsbernd Dissented in Committee)

Amended on page 2, line 22 & 23, by deleting "while focusing on taking back the United States House of Representatives and United States Senate."

AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Ma, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Maxwell
Absent: 1 - McGoldrick

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

060211 **[Charter amendment (Fourth Draft) to add Section 16.126]**

Hearing to consider a charter amendment (Fourth Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the members of the Board.

Female speaker; support of the Homicide Plan charter amendment

Sheila Burton; support of the Homicide Plan charter amendment

Judy Hughes; support of the Homicide Plan charter amendment

Ray Balberan; support of the Homicide Plan charter amendment

Joe Trigueros; support of the Homicide Plan charter amendment

Donald Price; support of the Homicide Plan charter amendment

Michell Williams; support of the Homicide Plan charter amendment

Iqra Anjum; support of the Homicide Plan charter amendment

Jeff Adachi, Public Defender; support of the Homicide Plan charter amendment

Alicia Sandoval; support of the Homicide Plan charter amendment

Valerie; support of the Homicide Plan charter amendment

Shirley Fordham; support of the Homicide Plan charter amendment

Henry Morales; support of the Homicide Plan charter amendment

Paul Kendiseg; support of the Homicide Plan charter amendment

Maddie Scott; support of the Homicide Plan charter amendment

Del Scott; support of the Homicide Plan charter amendment

Liz; support of the Homicide Plan charter amendment

Male speaker; support of the Homicide Plan charter amendment

Nancy; support of the Homicide Plan charter amendment

Kelly; support of the Homicide Plan charter amendment

Lonnie Holmes; support of the Homicide Plan charter amendment

Rudy Corcas; support of the Homicide Plan charter amendment

Ace Washington; support of the Homicide Plan charter amendment

Shay; support of the Homicide Plan charter amendment

Eugene Gordon, Jr.; support of the Homicide Plan charter amendment

Maria; support of the Homicide Plan charter amendment

Sharon Hewitt; support of the Homicide Plan charter amendment

Francisco di Costa; support of the Homicide Plan charter

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

052009 **[Charter Amendment - Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs]** **Supervisors Daly, Ammiano, Maxwell, Mirkarimi**

Charter amendment (Fourth Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional $10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date.

3/2/06 - Transmitted Charter Amendment with Legislative Digest to the Department of Elections.

ORDERED SUBMITTED by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Ma, McGoldrick

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

060213 **[Hearing - 22-Month and 15 Day Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]**

Hearing to consider the possible adoption of an urgency Ordinance approving a 22 month and 15 day extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the members of the Board.

Department of Public Health Representative and Dan Augustine, Treasurer's representative; support of the check cashing legislation

Kevin Stein; opposed to the check cashing legislation

Mike Eiseman; support of the check cashing legislation

Dan Leepson; support of the check cashing legislation

Male speaker; support of the check cashing legislation

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

060212 **[Zoning - Three Month Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]** **Supervisors Ammiano, Dufty, Daly, Mirkarimi**

Urgency Ordinance approving a 22 month and 15 day extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Urgency Ordinance approving a three month extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Gene Coleman in recognition of Black History Month.

Supervisor Maxwell also recognized Colonel Wilson and Thomas Fleming in recognition of Black History Month.

Supervisor Alioto-Pier introduced, welcomed and presented a Certificate of Honor to Patricia Scott in recognition of Black History Month.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Eileen Clerk Hernandez in recognition of Black History Month.

Supervisor Daly introduced, welcomed and presented a Certificate of Honor to Sharon Hewitt in recognition of Black History Month.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Daisy McCarthy in recognition of Black History Month.

Supervisor Dufty recognized Sean Williams in recognition of Black History Month.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Peter McGoughlin, Quantas Airlines and welcomed Quantas Airlines back to San Francisco.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Madeleine Licavoli, Deputy Clerk in recognition of receiving a Certificate of Completion from the International Institute of Municipal Clerks.

COMMITTEE REPORTS

060078 **[Capital Expenditure Plan; timeline amendments for initial submission and approval]** **Supervisor Elsbernd**

Ordinance amending Administrative Code Section 3.20 to provide that the initial ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors by May 1, 2006 and that the Mayor and the Board of Supervisors shall review, update, amend and adopt such plan by resolution by August 1, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the Federal government

Female speaker; expressed concern with issues relating to safety issues during major disasters

James Chaffee; expressed concern with issues relating to the public funding for the SF Public Library

David Miles; showed interest in closing traffic on Saturdays in Golden Gate Park

K. Lee; expressed concern with issues relating to the President George Bush

John Jenkel; expressed concern with issues relating to Enron and Federal issues

Kimo Crossman; expressed concern with issues relating to the DTIS review of the TechConnect WIFI proposal

Robert Pender, Vice President, Park Merced; expressed concern with issues relating to Park Merced

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any

Supervisor may require any resolution to go to committee.

060231 [Commending Lucille Burlew-Lawler] Supervisors Dufty, Elsbernd

Resolution commending Lucille Burlew-Lawler for 28 years of outstanding and dedicated service to the Department of Public Health and the people of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 116-06

ADOPTED

060232 [Commending Eugene Coleman] Supervisor Maxwell

Resolution commending Eugene Coleman for his dedication and exemplary service to the residents of San Francisco and proclaiming February 21, 2006 as Eugene Coleman Day in San Francisco.

Enacted Number: 115-06

ADOPTED

060233 [Accept-Expend Grant - Juvenile Probation Department] Supervisor Maxwell

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $50,000 from the Zellerbach Family Foundation to support organizational development activities at the Juvenile Probation Department and to fund technical assistance for planning for such organizational change.

Enacted Number: 114-06

ADOPTED

060234 [Supporting Eddy Zheng's application to remain lawfully in the United States] Supervisors McGoldrick, Peskin, Ammiano

Resolution urging the Department of Justice to grant Xiao Fei ("Eddy") Zheng's application to remain lawfully in the United States and calling on the Department of Homeland Security to exercise its discretion not to appeal the grant of a waiver that would allow Eddy Zheng to remain in the United States.

Enacted Number: 139-06

ADOPTED

060235 [California Seismic Safety Commission] Supervisors Peskin, Elsbernd

Resolution urging California Governor Arnold Schwarzenegger to withdraw his proposal to eliminate funding for the California Seismic Safety Commission.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 111-06

ADOPTED

060236 [Gift-In-Place to Recreation and Park Department] Supervisor Peskin

Resolution accepting and expending a gift-in-place valued at $40,000 from the Union Square Association to the Recreation and Park Department for use in Union Square.

Enacted Number: 113-06

ADOPTED

060237 [Commending the "Love Your Playground" volunteers and the Neighborhood Parks Council] Supervisors Sandoval, Dufty

Resolution commending the volunteers who participated in the "Love Your Playground" program and the Neighborhood Parks Council for conducting the survey.

Enacted Number: 112-06

ADOPTED

060207 [Final Map for a 23 Unit Commercial/Residential Condominium Project - 380 Alabama Street/2095 Harrison Street]

Motion approving Final Map of 380 Alabama Street/2095 Harrison Street, a Commercial/Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 3967, and adopting findings pursuant to Planning Code Section 101.1.
Version. (Public Works Department)

(DPW Order No. 175,896; District 6.)

Enacted Number: M06-26

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

Severed from the Without Reference to Committee Agenda

Supervisor Ammiano requested that the following two matters be severed so that they might be considered separately.

060230 **[Board of Supervisors Committee of the Whole - February 28, 2006 3:00 p.m. - Extension of interim zoning moratorium New Check Cashing and Payday Lenders Uses]** **Supervisor Ammiano**

Motion for the Board of Supervisors to convene as a committee of the whole on February 28, 2006, at 3:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending the interim zoning moratorium for 22 months and 15 days on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings.

Enacted Number: M06-27

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060229 **[Report for Interim Zoning Moratorium on New Check Cashing and Payday Lender Uses]** **Supervisor Ammiano**

Motion adopting and issuing the Planning Department's report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on new check cashing and payday lender uses.

Enacted Number: M06-28

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

060121 **[Incorporating Street Performers into the Street** **Supervisor McGoldrick**

Artist Program and designating sound appropriate sales areas for certified Street Artists]

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

Continued to March 28, 2006

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

060246 **[Appropriating $15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06]** — **Supervisors Elsbernd, Peskin, Ammiano, Alioto-Pier, Ma**

Ordinance appropriating $27,870,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 03/02/06 - Per Controller's e-mail, Supervisors Ammiano, Alioto-Pier and Ma requested to be added as co-sponsors. 03/06/06 - Referred to the Small Business Commission for review and comment.

060247 **[Minimum Wage Implementation and Enforcement]** — **Supervisors Maxwell, Ammiano, Daly, Mirkarimi, McGoldrick**

Ordinance (1) amending Chapter 12R of the San Francisco Administrative Code (Minimum Wage Ordinance) to impose an annual fee upon employers to defray the City's costs of implementing and enforcing the Minimum Wage Ordinance, (2) expanding the powers and duties of the Office of Labor Standard Enforcement to implement and enforce the Minimum Wage Ordinance, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the regulatory fees imposed by this ordinance are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Office of Labor Standards Enforcement or successor department of the City

and County of San Francisco, including employee wage rates, fringe benefits and other direct and indirect overhead charges, attributable to the implementation and enforcement of the Minimum Wage Ordinance.

(Fiscal impact.)

2/28/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

060250 **[Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning Memorial Day Weekend 2006]** **Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval**

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis from May 27, 2006 and continuing for six months through November 25, 2006, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

2/28/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/28/2006.

060251 **[To appropriate funding at the Department of Human Services for family rental subsidies utilizing General Fund Reserves]** **Supervisors Daly, Mirkarimi**

Ordinance appropriating $5,000,000 of General Fund for the Department of Human Services to fund Family Rental Subsidies for fiscal year 2005-06.

(Fiscal impact.)

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060252 **[To appropriate funding at the Department of Human Services for homeless services and to maintain and restore shelter bed capacity utilizing General Fund Reserves]** **Supervisors Daly, Mirkarimi, Ammiano**

Ordinance appropriating $690,000 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06.

(Fiscal impact.)

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060253 **[Appropriating $10,415,682 capital project funding at the Recreation and Parks department for the funding of Phase I projects with significant forecasted shortfalls]** **Supervisors Peskin, Maxwell, Mirkarimi, Ammiano, Dufty, Elsbernd, Ma**

Ordinance appropriating $35,415,682 of General Fund for the Recreation and Parks department to fund the following Phase I projects with significant forecasted shortfalls: Lincoln Park Master Plan for $600,000, Lincoln Playground for $1,092,722, Hamilton Playground, Recreation Center and Pool for $14,300,956, Junipera Serra Playground and Clubhouse for $840,000, Lake Merced Master Plan for $875,000, Lake Merced - Overlook and Trail for $145,860, Midtown Terrace Reservoir Top for $1,510,927, Buena Vista Park Landscape Improvement for $2,536,275, Sunnyside Conservatory for $3,039,468, Rolph Playground & Clubhouse for $817,712, St. Mary's Playground for $1,680,000, Kelloch - Velasco Park for $1,639,627, Potrero Hill Playground for $1,382,000, Visitacion Valley Greenway (Racetrack) - Tioga Lot for $1,246,463, Joseph Lee Recreation Center $701,000 and Sava Pool for $3,007,672 for fiscal year 2005-06.

(Fiscal impact.)

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
03/06/056- Referred to the Youth Commission for review and comment.

060254 **[Public Employment - Department of Public Health]** — Mayor

Ordinance amending Ordinance No. 2004-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of one position in the Department of Public Health.

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060255 **[Accepting a gift to the Recreation and Park Department of synthetic turf athletic fields valued at approximately $4.5 million from the City Fields Foundation]** — Supervisors Ammiano, Alioto-Pier, Maxwell, Ma

Ordinance accepting a gift to the Recreation and Park Department (RPD) of synthetic turf athletic fields at Garfield Square and Silver Terrace Playground and a maintenance contract for those fields, valued at approximately $4.5 million, from the City Fields Foundation (Foundation); approving an agreement between RPD and the Foundation which specifies how RPD and the Foundation will work together to implement the gift; and authorizing the RPD General Manager to accept future donations of Turf fields from the Foundation.

2/28/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. The Mayor requests this item be scheduled for the March 13, 2006 meeting of the City Operations and Neighborhood Services Committee.

060256 **[Sale of real property located at Broadway and Sansome Streets to Redevelopment Agency for $1,500,000.00 and appropriating the sales proceeds for roadway maintenance of the Embarcadero.]** — Supervisor Peskin

Ordinance approving the sale of real property located at Broadway and Sansome Streets to the Redevelopment Agency of the City and County of San Francisco (the "Agency") for $1,500,000.00; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the Agency for the sale of such real property for the development of affordable housing and appropriating $1,500,000.00 of the sales proceeds to the Department of Public Works for roadway maintenance of the Embarcadero.

(Fiscal impact.)

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060265 [Residential and Industrial Compatibility and Protection] Supervisor Maxwell

Ordinance amending the Administrative Code to add Chapter 35 to provide that certain industrial uses shall not be considered a nuisance due to changed circumstances on adjacent property, with certain exceptions; to require notice regarding adjacent industrial uses to be provided prior to the transfer of real property for residential uses; to provide for civil penalties; to provide for a private right of action; and making environmental findings.

2/28/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/28/2006.

060266 [Japantown Special Use District] Supervisor Mirkarimi

Ordinance adding Planning Code Section 249.31 to establish the Japantown Special Use District for property generally bounded by Bush Street, Geary Boulevard, Laguna Street, and Fillmore Street, as specifically defined herein; amending the City's Zoning Map Sectional Map 2SU to reflect the boundaries of the Japantown Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

2/28/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/28/2006.

060267 [Campaign Finance Reform Ordinance Amendments] Mayor

Ordinance amending Sections 1.100, 1.104, 1.108, 1.114, 1.116, 1.122, 1.126, 1.128, 1.130, 1.135, 1.161 and 1.170, adding sections 1.107, 1.115, 1.162.5 and 1.163.5 and repealing section 1.132, Chapter 2 of Article I, section 1.200 and Chapter 4 of Arcticle I, sections 1.400, 1.405, 1.410, 1.415, 1.420 and 1.425 of the Campaign and Governmental Conduct Code to move the False Endorsements Ordinance and the Prohibition on Multiple Campaign Accounts into the Campaign Finance Reform Ordinance ("CFRO"); subject School District and Community College District measures to CFRO; reenact contribution and voluntary expenditure limits at their existing levels; clarify sections of CFRO related to candidate loan restrictions, permissible uses of campaign funds, pre-election reporting requirements, and the contractor contribution prohibition; prohibit candidates from accepting voluntary expenditure ceilings if the applicable ceiling was already lifted; create late filing fees for reports required by CFRO; create new and clarify existing disclaimer requirements for campaign advertisments; create training requirements for candidates and treasurers; and require expenditures that are coordinated with candidates to be treated as contributions.

2/28/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/28/2006.

Resolutions

060244 [Water Line Relocation Agreement] Supervisor Peskin

Resolution approving and authorizing the execution and delivery of a Water Line Relocation Agreement with San Francisco Community College ("City College") authorizing the exchange of real property interests in the City and County of San Francisco following the completion of construction of a new water pipeline; adopting findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and adopting environmental findings.

(Supervisor Daly dissenting in committee.)

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060248 [Approve an agreement between SFPUC and SF Recycling and Disposal (SFR&D) for the installation and operation of a photovoltaic project to provide electricity to SFR&D's recycling facility at Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission ("SFPUC") to enter into an agreement with San Francisco Recycling and Disposal ("SFR&D") for the installation and operation of a photovoltaic system and associated facilities to provide electricity to SFR&D's recycling facility at Pier 96.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060249 [Authorizing the Director of the Department of Public Works to accept and expend federal grant funds totaling $6,110,000 for the SOMA Pavement Renovation Project and the Cortland Avenue Supervisor Ammiano

Resolution authorizing the Director of the Department of Public Works to accept and expend federal Surfacing Transportation Program funds totaling $6,110,000 for the SOMA Pavement Renovation Project and the Cortland Avenue Pavement Renovation Project.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060257 [Apply for grants from a state agency - Department of the Environment] Supervisor Ma

Resolution authorizing the Department of the Environment to apply for a planning grant from the California Cultural and History Endowment in the amount of $138,060 to be used for design development and construction documents for the renovation its new site on the ground floor of 25 Van Ness.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060258 [Accept-Expend Equipment - Police Department] Supervisor Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend telephone intercept equipment in the amount of $249,170 made available through the Technology Transfer Program, Office of National Drug Control Policy,

Counterdrug Technology Assessment Center (ONDCP/CTAC).

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060259 **[Supporting S.B. 1033 and H.R. 2330 to improve security and immigration]** — **Supervisors Ma, Elsbernd**

Resolution supporting S.B. 1033 and H.R. 2330, the Kennedy/McCain Bill to improve security and immigration.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060260 **[San Francisco Community College District General Obligation Bonds]** — **Supervisor Peskin**

Resolution authorizing the San Francisco Community College District to issue and sell on its own behalf its general obligation bonds approved by the voters at the November 2005 election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the general obligation bonds by the San Francisco Community College District; providing for prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of San Francisco Community College District bonds.

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060268 **[Authorizing the Planning Department to apply for a Workforce Housing Reward Program Grant]** — **Mayor**

Resolution authorizing the Planning Department to apply for a Workforce Housing Reward Program Grant.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060269 **[Urging the IRS to reconsider ruling Domestic Partners and Community Property]** — **Supervisors Ammiano, Dufty, Mirkarimi**

Resolution urging the IRS to reconsider their ruling on Domestic Partners and Community Property, and their declaration that everyone must file separately.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060270 **[Urging the Los Altos City Council to reconsider an amendment forbidding official proclamations referring to ethnicity, race, religion or sexual orientation]** — **Supervisors Ammiano, Dufty**

Resolution urging the Los Altos City Council to reconsider its decision to pass an amendment forbidding official proclamations which make reference specifically to ethnicity, race, religion, or sexual orientation.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060271 **[Urging Representatives Nancy Pelosi and Tom** — **Supervisors Daly,**

Lantos to support HR 4232, the "End the War in Iraq Act of 2005"] — Ammiano, Mirkarimi

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring HR 4232, the End the War in Iraq Act of 2005, introduced by Representative Jim McGovern; and urging Senators Diane Feinstein and Barbara Boxer to file legislation to the same effect in the Senate.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060272 [Commending Vicki McWilliams] — Supervisor Daly

Resolution commending Vicki McWilliams for her work to support community based organizations, improve communications and facilitate working relationships between government, business and community in the Mid-Market, Union Square and South of Market neighborhoods.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060273 [Grant of Regional Funds - Municipal Transportation Agency] — Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $157,031 of Regional Measure 2 Operating Assistance funds.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060274 [Accept-Expend Federal Grant - Department of the District Attorney] — Supervisors Maxwell, Ammiano

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $443,989 through the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, entitled "Bayview Community Response Network".

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060275 [Commending Amy Ackerman] — Supervisor Peskin

Resolution commending Amy Ackerman for her 16 years of service with the City Attorney's Office and declaring March 1, 2006 "Amy Ackerman Day" in San Francisco.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060278 [Request for a backup plan for the June and November 2006 elections] — Supervisor Mirkarimi

Resolution requesting the Department of Elections to prepare and present to the Board of Supervisors a backup plan for the June and November 2006 elections in case the Department's currently chosen vendor fails to have its voting equipment certified in time for use in such elections.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060279 [Commending Jill Pfeiffer] Supervisor Sandoval

Resolution commending Jill Pfeiffer for her service as the Director of Excelsior Family Connections and her dedication to the Excelsior community.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060262 [Supplemental appropriation process and plan for allocating current year surplus] Supervisor Daly

Hearing to consider supplemental appropriation process and plan for allocating current year surplus of $137,310,000.

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060263 [Budget plans for the First Five Commission and the SFUSD for the Public Education Enrichment Fund for FY 2006-2007] Supervisor Daly

Hearing to consider budget plans for the First Five Commission and the San Francisco Unified School District for the Public Education Enrichment Fund for FY 2006-2007.

2/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
03/06/06 - Referred to the Youth Commission for review and comment.

060264 [Release of Reserved Funds, Office of Emergency Services & Homeland Security]

Hearing to consider the release of reserved funds, Office of Emergency Services & Homeland Security in the amount of $11,168,000 for the FY 2005 Urban Areas Security Initiative (UASI).

Charter Amendment

060261 [Charter Amendment - District elections, term limits, and instant runoff voting for Board of Education members; conditions for School District to receive money from the Public Education Supervisor Alioto-Pier

Charter Amendment (First Draft) to amend Sections 8.100, 13.101, and 13.102, add Section 13.111, to provide for district elections, term limits, and instant runoff voting for members of the Board of Education, add Sections 16.123-6A and 16.123-6B, to require the San Francisco Unified School District to submit a mission statement and five-year strategic plan and to participate with the Board of Supervisors in an inter-agency review board on school openings, mergers, relocations and closures, as a condition of receiving money from the Public Education Enrichment Fund.

2/28/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/28/2006. (3/17/06 - Referred to City Attorney for approval as to form and preparation of legislative digest.)

Motions

060276 [Extending Time for Labor Negotiations to June 30, 2006] Supervisor Peskin

Motion extending time for labor negotiations to June 30, 2006, pursuant to Charter Section 11.100.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060277 [Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 6, 2006 Election] Supervisor Peskin

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for Charter Amendment approved by the Board of Supervisors for submittal to the voters at the June 6, 2006 Election.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

060162 [Amending the Traffic Code to establish a single consolidated list of weight-restricted streets] Supervisor Maxwell

Ordinance amending the Traffic Code by repealing Sections 28.4 and 28.5, amending Sections 28.1 and 28.1.19, renumbering Sections 28.5.1 through 28.5.59 as 28.1.110 through 28.1.165, and adding new Sections 28.1.166 through 28.1.170 to: correct obsolete references to Army Street; establish a consolidated list of weight-restricted streets on which vehicles with a gross vehicle weight of 6000 pounds or more are, with specified exceptions, prohibited; add Ledyard Street between Silver Avenue and Thornton Avenue, Vesta Street between Thornton Avenue and Williams Avenue, Scotia Avenue between Silver Avenue and Thornton Avenue and Thornton Avenue between Bayshore Boulevard and 3rd Street the list of restricted streets; and clarify the exceptions applicable to weight restricted-street requirements. (Parking and Traffic Department)

2/13/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/30/2006.

060164 [Settlement of Lawsuit - CCSF v. ARCO et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Airport Group International (AGI) for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

2/15/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

060137 **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

(DPW Order No. 175,878; Location: 220 Jones Street)

2/7/06, ASSIGNED to Board of Supervisors. Scheduled for March 21, 2006, at 3:00 p.m.

060163 **[Settlement of Claim - James Mead]**

Resolution approving the settlement of the unlitigated claim filed by Mr. James Mead, against San Francisco for $77,500; claim was filed on June 22, 2005.

2/13/06, RECEIVED AND ASSIGNED to Rules Committee.

060208 **[Authorize payment of performance fees and for final closeout of the Water Infrastructure Partners contract for an amount not to exceed $487,726]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to pay performance fees for Contract Year No. 4 and Year 5 and for final closeout of the Agreement with the Water Infrastructure Partners for an amount not to exceed $734,670. (Public Utilities Commission)

(Fiscal impact.)

2/17/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: Requesting a report from the City Attorney's Office that details the provisions of federal, state, and local law, as well as city labor agreements, that guide or restrict the operations of the San Francisco Police Department. In particular, the report should detail how these laws or agreements address the recruitment, assignment, discipline, and oversight of the city's officers.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility to add an additional "No Left Turn" sign for the traffic heading east on the right side of Turk Street at the intersection of Broderick.

From: Supervisor Mirkarimi

To: Director, Department of Recreation and Parks

Requesting/Inquiring: Requesting the Department of Recreation and Parks to report on the feasibility of "Pet Owners are Responsible for Removal of Dog Feces" sign put up in the Hayes Green.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing the sidewalk at SW corner on Pierce @ Turk Streets.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of replacing the street sign at the north-west corner of Carl and Willard Streets.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the property between 375 and 415 Carl Street and the utility boxes on the 100 block of Carl.

From: Supervisor McGoldrick

To:

In Memoriams

Allen Leung - Supervisors Peskin and Ma

Diane Laraine Hermann - Supervisor Elsbernd

Marvin Schoenberg - Supervisor Elsbernd

Ken Bostock - Supervisor Dufty

John Roszak - Supervisor Ammiano

Richard H. Bailin - Supervisor Maxwell

Tanya Neiman - Supervisor Dufty

Joel Dorius - Supervisor Dufty

Jenni Thompson - Supervisors Dufty and Maxwell

ADJOURNMENT

There being no further business, the February 28, 2006 Board meeting adjourned at the hour of 7:47 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 28, 2006.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Special Board of Supervisors Meeting

Budget and Finance Committee

March 1, 2006

At the hour of 2:44 p.m. Supervisors Tom Ammiano and Jake McGoldrick were noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors for the following items. A Special Board of Supervisors meeting was convened

Present: Chris Daly, Bevan Dufty, Aaron Peskin, Ross Mirkarimi,

Sean Elsbernd, Tom Ammiano, Jake McGoldrick

060079 [Lease of Real Property at One South Van Ness Avenue]

Resolution authorizing the lease of approximately 66,565 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency and the City and County of San Francisco's 311 Call Center. (Mayor)

Continued as amended to March 8, 2006

Ayes: 5 - Daly, Dufty, Peskin, Mirkarimi, Elsbernd

051919 [Worker Health Care Security Ordinance]

Ordinance amending the San Francisco Administrative Code by adding Sections 14.1 through 14.11, to require that employers operating within San Francisco make health expenditures on behalf of employees, set penalties and provide for enforcement, and creating a health security task force to analyze among other related issues, the desirability and feasibility of imposing a fee on employers to provide health care for employees. (Supervisor Ammiano)

Continued to March 15, 2006

Ayes: 5 - Daly, Dufty, Peskin, Mirkarimi, Elsbernd

051907 [Minimum Compensation Ordinance]

Ordinance amending the San Francisco Administrative Code by amending Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7 and 12P.8, and by adding Sections 12P.5.1, 12P.6.1 and

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

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The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, March 7, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Jake McGoldrick.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:08 p.m.

Supervisor McGoldrick was excused from attending today's meeting.

Supervisor McGoldrick Excused from Attendance

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

060078 **[Capital Expenditure Plan; timeline amendments for initial submission and approval]** **Supervisor Elsbernd**

Ordinance amending Administrative Code Section 3.20 to provide that the initial ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors by May 1, 2006 and that the Mayor and the Board of Supervisors shall review, update, amend and adopt such plan by resolution by August 1, 2006.

Enacted 40-06

Number:
FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

051562 [Zoning Map Amendment in connection with Third Street and Oakdale Avenue Affordable Housing Special Use District] Supervisor Maxwell

Ordinance amending Zoning Map Section 10 and 10SU of the City and County of San Francisco for the property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Enacted Number: 36-06
FINALLY PASSED

051563 [Third Street and Oakdale Avenue Affordable Housing Special Use District] Supervisor Maxwell

Ordinance adding Planning Code Section 249.30 to establishing the Third Street and Oakdale Avenue Affordable Housing Special Use District for property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street, and making findings including findings under the California Environmental Quality Act and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 37-06
FINALLY PASSED

Recommendations of the Rules Committee

052044 [Settlement of Lawsuit - Mary Williams]

Ordinance authorizing settlement of the matter of Mary Williams v. City and County of San Francisco for $225,000. The lawsuit was filed on November 5,

2004 in San Francisco Superior Court, Case No. 436-121; entitled Mary Williams v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 38-06
FINALLY PASSED

060006 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance authorizing settlement of a claim filed by Pacific Gas & Electric Company (PG&E) against the City and County of San Francisco (City) and a complaint filed by the City against PG&E. PG&E's claim was filed on April 9, 2004, in the United States Bankruptcy Court and amended on June 1 and June 11, 2004, Case No. 01-30923-DM, Adversary Proceeding No. 04-3071. The City's complaint against PG&E was filed on June 29, 2005 at the Federal Energy Regulatory Commission, Docket No. EL05-133-000.

Enacted Number: 39-06
FINALLY PASSED

060097 [Settlement of Lawsuit - Maria Castillo]

Ordinance authorizing settlement of the lawsuit filed by Maria Castillo against the City and County of San Francisco for $40,000; the lawsuit was filed on January 18, 2005 in San Francisco Superior Court, Case No. 437-830; entitled Maria Castillo, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 41-06
FINALLY PASSED

060099 [Settlement of Lawsuit and Grievance - Gary Thompson]

Ordinance authorizing settlement of the lawsuit filed by Gary Thompson and the grievance filed by his Union, Service Employees Service Employees International Union, Local 790, against the City and County of San Francisco for $199,000; the lawsuit was filed on May 14, 2003 in United States District Court, Northern District of California, Case No. CV-03-02243-WDB and is entitled Gary Thompson v. City and County of San Francisco, et al; the grievance was filed on August 28, 2003 and is entitled Service Employees International Union, Local 790 v. City and County of San Francisco, ERD No. 12-03-1143. (City Attorney)

Enacted Number: 42-06

FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

Severed from the Consent Agenda

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

Recommendation of the Budget and Finance Committee

060076 **[To appropriate $5,216,754 to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for DPW for Fiscal Year 2005-06]** Mayor

Ordinance appropriating $5,216,754 of Fiscal Year 2005-2006 State Traffic Congestion Relief Funds to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

Continued to March 21, 2006

Supervisor Sandoval, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

Supervisor Alioto-Pier noted present at 2:08 p.m.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

051792 [Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee] — Supervisors Maxwell, Dufty, Peskin, Ma, Mirkarimi

Ordinance amending the Administrative Code to add Chapter 26, ("Deemed Approved Off-Sale Alcohol Use Nuisance Regulations"), deeming all existing non-conforming and permitted off-sale alcohol uses "approved;" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses; creating a list of performance standards that reflect existing local nuisance and related state and federal laws; providing for an education and outreach program; authorizing penalties for violation of performance standards including administrative penalties from $500 to $1000 or revocation of deemed approved status; providing for appeals of conditions or administrative penalties to the Board of Appeals; providing for appeals of the revocation of deemed approved status to the Board of Supervisors or the Board of Appeals; setting an annual fee of $264 for deemed approved off-sale alcohol uses; establishing a deemed approved off-sale alcohol use nuisance regulation continuing project accounts within the City's General Fund; and making environmental findings.

Supervisor Ma, seconded by Supervisor Daly, moved to amend "Section 26.12

by replacing Sections (a) and (b) (1) and (2)".

Motion to amend failed by the following vote:

Ayes: 3 - Daly, Ma, Mirkarimi

Noes: 6 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Peskin

Absent: 1 - Sandoval

Excused: 1- McGoldrick

Enacted Number: 43-06

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

060205 **[Requiring Notice to Potential Buyers of Certain Deemed Approved Off-Sale Alcohol Uses Where the Use Has Violated the Performance Standards.]** Supervisors Daly, Ammiano

Ordinance amending the ordinance Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee (Board File No. 051792) by amending Section 26.20 to require that the seller of a Deemed Approved Off-Sale Alcohol Use ("Use") provide certain notice to potential buyers of the Use if the Use has, within the past three years, been the subject of an administrative hearing at which a finding of violation of the Performance Standards was made, at which conditions were imposed on the Use's continued operations, and/or at which administrative penalties were imposed on the Use for violation of the Performance Standards; and making environmental findings.

Enacted Number: 44-06

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051908 **[Health Care Accountability Ordinance]** Supervisors Ammiano, McGoldrick, Ma

Ordinance amending the San Francisco Administrative Code by amending Sections 12Q.2.1, 12Q.2.2, 12Q.2.9, 12Q.3, 12Q.4, 12Q.5 and 12Q.6, and adding Sections 12Q.5.1, and 12Q.5.2, and 12Q.8 to: change the requirements of the Health Care Accountability Ordinance with respect to health benefit plans, exemptions for certain categories of employees and agreements, and the payment rates due from employers; authorize the Health Commission to increase the payment rates; authorize the withholding of contract payments; make both substantive and clarifying changes with respect to obligations imposed on Contracting Parties for notification, investigation, auditing, inspection, enforcement, and settlement procedures; revise procedures for the assessment of liquidated damages; establish a process for determining violations and for the administrative appeal of such determinations; authorize waiver of requirements of the Ordinance through collective bargaining; and ratify certain administrative actions.

(Fiscal impact.)

Supervisor Ma requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060215 **[To appropriate $4,910,000 of funding from the General Fund Reserve and de-appropriate savings to fund cost overruns in the Police Department for Fiscal Year 2005-2006.]** **Supervisor Daly**

Ordinance appropriating $4,910,000, including $3,570,000 of funding from the General Fund Reserve and de-appropriating $1,300,000 in workers' compensation savings and $40,000 in permanent miscellaneous salary cost savings, to fund the cost overruns of overtime, and adjust salaries and fringe benefits in the Police Department for Fiscal Year 2005-06.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060031 **[Approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN) for registration of Internet Protocol address space]** **Supervisor Dufty**

Ordinance approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN), for the registration of Internet Protocol address space, required to increase the City's bandwidth on the Internet and designating ARIN as the sole source contractor for the registration of Internet Addresses, and waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, and approving the City indemnifying and holding ARIN harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, and waiving the requirement of Section 21.19(d) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060244 **[Water Line Relocation Agreement]** **Supervisor Peskin**

Resolution approving and authorizing the execution and delivery of a Water Line Relocation Agreement with San Francisco Community College ("City College") authorizing the exchange of real property interests in the City and County of San Francisco following the completion of construction of a new water pipeline; adopting findings of consistency with the General Plan and

priority policies of Planning Code Section 101.1; and adopting environmental findings.

(Supervisor Daly dissenting in committee.)

Enacted Number: 133-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - McGoldrick

060130 **[Emergency replacement of chiller at San Francisco General Hospital]**

Resolution approving an emergency public work contract of the replacement of a chiller at San Francisco General Hospital. (Public Works Department)

(Fiscal impact.)

Enacted Number: 127-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Land Use and Economic Development Committee

051889 **[Policy that the City should supply electricity to new City developments where feasible]** **Supervisors Mirkarimi, Sandoval, Maxwell, Daly, Peskin, Ammiano**

Ordinance amending the Administrative Code to add Chapter 99: Public Power in New City Developments, establishing as the policy of the City and County of San Francisco that, where feasible, the City shall be the electricity provider for new City developments, including military bases and redevelopment projects.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060085 **[Hunters Point Shoreline Interim Controls]** **Supervisors Maxwell, McGoldrick, Alioto-Pier**

Resolution adopting interim zoning controls in the Hunters Point Shoreline

area for a period of eighteen (18) months that would, within the currently zoned M-1 and M-2 areas generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay, permit new housing as an accessory use to certain designated uses, or if it is contained within a permitted institutional use, or with a required ratio of four (4) square feet of permitted non-residential use for every one (1) square foot of residential space built; that would, within the currently zoned NC-2 area abutting Innes Avenue and Hunters Point Boulevard between Jennings Street and Earl Street, permit new housing on other than the ground floor and in conjunction with non-residential development; that would require a conditional use permit for all new construction or change in use in the M-1 and M-2 zoning districts and for all uses that include new housing in the NC-2 zoning district, and adopting findings.

Enacted Number: 132-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendation of the Government Audit and Oversight Committee

060223 **[MOU - Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]** Mayor

Ordinance adopting and implementing Amendment No. 2, the negotiated agreement that amends the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by amending the parties' agreement to reflect wages, hours and working conditions for classification H-3 EMT/Paramedic/Firefighter.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Angela Williams, Vice President, Commission on the Status of Women shared opening remarks with the Board members.

Supervisor Ammiano welcomed, introduced and presented a Certificate of Honor to Melba Maldonado in recognition of International Women's Day.

Supervisor Daly welcomed, introduced and presented a Certificate of Honor to Bernadette Borja Sr. in recognition of International Women's Day.

Supervisor Dufty welcomed, introduced and presented a Certificate of Honor to Gillian Gillette in recognition of International Women's Day.

Supervisor Elsbernd welcomed, introduced and presented a Certificate of Honor to Katherine J. Pattison in recognition of International Women's Day.

Supervisor Ma welcomed, introduced and presented a Certificate of Honor to Darlene Mar in recognition of International Women's Day.

Supervisor Maxwell, welcomed, introduced and presented a Certificate of Honor to Dr. Jadine Burke in recognition of International Women's Day.

Supervisor Elsbernd, on behalf of Supervisor McGoldrick, welcomed, introduced and presented a Certificate of Honor to Leilani Battiste in recognition of International Women's Day.

Supervisor Mirkarimi welcomed, introduced and presented a Certificate of Honor to Mattie Scott in recognition of International Women's Day.

Supervisor Peskin, welcomed, introduced and presented a Certificate of Honor to Dr. Diana Taylor in recognition of International Women's Day.

Supervisor Sandoval welcomed, introduced and presented a Certificate of Honor to Teresita Gatan in recognition of International Women's Day.

Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to Diane Buchanan Wilsey in recognition of International Women's Day.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may

address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Steve Covey; showed interest in the medical marijuana issues and appreciation for the Board's resolution in support of his cause

Walter; expressed appreciation to the Board in song

Francisco da Costa; expressed concern with issues relating to the environment

Eugene Gordon, Jr.; expressed concern with pedestrian safety signs

Female speaker; expressed concern with issues relating to safety for citizens

John da Donna; expressed concern with issues relating to the Iraq War

Female speaker; expressed concern with lack of representation

Male speaker; expressed concern with issues relating to the SF homeless and Katrina victims

Male speaker; showed appreciation of legislation supporting the homeless and victims with AIDS

Robert Pender, Vice-President of Park Merced Residents; expressed concern with rent control evictions

Mel Bettle; expressed concern with issues relating to the beating of homeless victims and housing needs

James Chaffee; expressed concern with public comment time limit and issues relating to public funding for the SF Public Library

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

Supervisor Sandoval was noted absent at 4:23 p.m.

060288 **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Relations, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

CLOSED SESSION

The Board recessed at the hour of 4:23 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:07 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly,

Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 9

Report on Closed Session

Deputy City Attorney Cheryl Adams, reported that the Board of Supervisors has met in closed session with the City Labor Negotiators, under the provisions of Government Code Section 54957.6 (a) and San Francisco Administrative Code 67.8 for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing the City employee groups.

Persons in attendance: Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin

Cheryl Adams, Deputy City Attorney

Phil Ginsburg, Director, Human Resources Department

Micki Callahan, Assistant Employee Relations Director

Martin Gran, Deputy City Attorney

Monique Zmuda, Assistant Controller

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved not to disclose at this time its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining). The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

Continued to March 28, 2006

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060257 **[Apply for grants from a state agency - Department of the Environment]** **Supervisor Ma**

Resolution authorizing the Department of the Environment to apply for a planning grant from the California Cultural and History Endowment in the amount of $138,060 to be used for design development and construction documents for the renovation its new site on the ground floor of 25 Van Ness.

Enacted 134-06

Number:
ADOPTED

060259 [Supporting S.B. 1033 and H.R. 2330 to improve security and immigration] Supervisors Ma, Elsbernd

Resolution supporting S.B. 1033 and H.R. 2330, the Kennedy/McCain Bill to improve security and immigration.

Enacted Number: 137-06
ADOPTED

060268 [Authorizing the Planning Department to apply for a Workforce Housing Reward Program Grant] Mayor

Resolution authorizing the Planning Department to apply for a Workforce Housing Reward Program Grant.

Enacted Number: 128-06
ADOPTED

060269 [Urging the IRS to reconsider ruling Domestic Partners and Community Property] Supervisors Ammiano, Dufty, Mirkarimi

Resolution urging the IRS to reconsider their ruling on Domestic Partners and Community Property, and their declaration that everyone must file separately.

Supervisors Dufty and Mirkarimi requested to be added as co-sponsors.

Enacted Number: 129-06
ADOPTED

060270 [Urging the Los Altos City Council to reconsider an amendment forbidding official proclamations referring to ethnicity, race, religion or sexual orientation] Supervisors Ammiano, Dufty

Resolution urging the Los Altos City Council to reconsider its decision to pass an amendment forbidding official proclamations which make reference specifically to ethnicity, race, religion, or sexual orientation.

Enacted Number: 138-06
ADOPTED

060272 [Commending Vicki McWilliams] Supervisor Daly

Resolution commending Vicki McWilliams for her work to support community based organizations, improve communications and facilitate working relationships between government, business and community in the Mid-Market, Union Square and South of Market neighborhoods.

Enacted Number: 130-06

ADOPTED

060279 [Commending Jill Pfeiffer] **Supervisor Sandoval**

Resolution commending Jill Pfeiffer for her service as the Director of Excelsior Family Connections and her dedication to the Excelsior community.

Enacted Number: 131-06

ADOPTED

060276 [Extending Time for Labor Negotiations to June 30, 2006] **Supervisor Peskin**

Motion extending time for labor negotiations to June 30, 2006, pursuant to Charter Section 11.100.

Enacted Number: M06-29

APPROVED

060277 [Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 6, 2006 Election] **Supervisor Peskin**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for Charter Amendment approved by the Board of Supervisors for submittal to the voters at the June 6, 2006 Election.

Enacted Number: M06-24

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Severed from the Without Reference to Committee Agenda

Supervisor Peskin requested that the following File Nos. 060248, 060249, 060258, 060273 and 060274 be severed so that they may be considered separately.

060248 **[Approve an agreement between SFPUC and SF Recycling and Disposal (SFR&D) for the installation and operation of a photovoltaic project to provide electricity to SFR&D's recycling facility at** Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission ("SFPUC") to enter into an agreement with San Francisco Recycling and Disposal ("SFR&D") for the installation and operation of a photovoltaic system and associated facilities to provide electricity to SFR&D's recycling facility at Pier 96.

REFERRED to the City Operations and Neighborhood Services Committee.

060249 **[Authorizing the Director of the Department of Public Works to accept and expend federal grant funds totaling $6,110,000 for the SOMA Pavement Renovation Project and the Cortland Avenue** Supervisor Ammiano

Resolution authorizing the Director of the Department of Public Works to accept and expend federal Surfacing Transportation Program funds totaling $6,110,000 for the SOMA Pavement Renovation Project and the Cortland Avenue Pavement Renovation Project.

Enacted Number: 136-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060273 **[Grant of Regional Funds - Municipal Transportation Agency]** Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $157,031 of Regional Measure 2 Operating Assistance funds.

REFERRED to the City Operations and Neighborhood Services Committee.

060274 **[Accept-Expend Federal Grant - Department of the District Attorney]** Supervisors Maxwell, Ammiano

Resolution authorizing the Department of the District Attorney of the City

and County of San Francisco to retroactively accept and expend a grant in the amount of $443,989 through the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, entitled "Bayview Community Response Network".

REFERRED to the Government Audit and Oversight Committee.

060258 **[Accept-Expend Equipment - Police Department]** **Supervisor Ma**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend telephone intercept equipment in the amount of $249,170 made available through the Technology Transfer Program, Office of National Drug Control Policy, Counterdrug Technology Assessment Center (ONDCP/CTAC).

REFERRED to the City Operations and Neighborhood Services Committee.

Supervisor Elsbernd requested that the following File Nos. 060271 and 060278 be severed so they might be considered separately.

060271 **[Urging Representatives Nancy Pelosi and Tom Lantos to support HR 4232, the "End the War in Iraq Act of 2005"]** **Supervisors Daly, Ammiano, Mirkarimi**

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring HR 4232, the End the War in Iraq Act of 2005, introduced by Representative Jim McGovern; and urging Senators Diane Feinstein and Barbara Boxer to file legislation to the same effect in the Senate.

Continued to March 14, 2006

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060278 **[Request for a backup plan for the June and November 2006 elections]** **Supervisor Mirkarimi**

Resolution requesting the Department of Elections to prepare and present to the Board of Supervisors a backup plan for the June and November 2006 elections in case the Department's currently chosen vendor fails to have its voting equipment certified in time for use in such elections.

REFERRED to the Rules Committee.

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

060275 [Commending Amy Ackerman] Supervisors Peskin, Sandoval

Supervisor Sandoval requested to be added as a co-sponsor.

Enacted Number: 135-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

041005 [Pedestrian Protections] Supervisors Ma, Alioto-Pier, Dufty, Daly, Mirkarimi

Ordinance adding Sections 73, 73.1, 73.2, 75, and 79 to the San Francisco Traffic Code to require the Director of Parking and Traffic to: (1) install countdown pedestrian signals and ladder striped crosswalks, (2) designate specific crosswalk signal crossing times, and (3) upon the recommendation of the Pedestrian Safety Advisory Committee, install one hundred signs a year for three years informing the public regarding prohibited sidewalk activities; amending Section 703 of the San Francisco Public Works Code to require: (1) all curb heights and adjacent sidewalks be a minimum height of six to eight inches as measured from the gutter by June 30, 2024, and (2) a citywide survey of curb heights and adjacent sidewalks be conducted by the San Francisco Department of Public Works by June 30, 2007, in order to prioritize the work process; adding Sections 703.3, 703.4, and 703.5 to the San Francisco Public Works Code to require the Director of Public Works to install: (1) corner curb bulb-outs on Geary Boulevard, Mission Street, Geneva Avenue, and at the intersections of Dr. Carlton B. Goodlett Place and McAllister and Grove Streets, as permitted by state and local law, by June 30, 2009, and (2) ADA compliant curb-cut ramps on every sidewalk corner in the City by June 30, 2014; and providing that the requirements and schedules for installation of certain devices and improvements shall inform the San Francisco Pedestrian Master Plan and that funding may be sought through the Proposition K 5-Year Funding Priority Program.

(02/01/05 in Board: Supervisor Ma submitted a substitute ordinance bearing

new title.) (Fiscal impact.)

7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

8/11/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

12/7/04, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

12/7/04, ASSIGNED to Land Use Committee.

12/9/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

12/10/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic as a courtesy.

12/15/04, REFERRED TO DEPARTMENT. Referred to Planning Department (Interim Director of Planning) for environmental review.

12/17/04, REFERRED TO DEPARTMENT. Referred to Planning Department (Environmental Review Officer) for environmental review.

12/20/04, TRANSFERRED to Finance and Audits Committee.

12/20/04, RESPONSE RECEIVED. DPT responding that item is not under their purview.

12/22/04, RESPONSE RECEIVED. Planning Department environmental review; categorically exempt.

1/31/05, TRANSFERRED to Budget and Finance Committee. New committee structure effective 2/7/05.

2/1/05, TRANSFERRED to Land Use Committee.

2/1/05, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

2/1/05, ASSIGNED to Land Use Committee.

3/9/05, TRANSFERRED to Budget and Finance Committee.

12/29/05, FILED PURSUANT TO RULE 5.37.

3/7/06, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Ma requested this matter be reactivated. 3/8/06 - Supervisor Mirkarimi requested to be added as co-sponsor.

3/7/06, ASSIGNED to Land Use and Economic Development Committee.

060310 **[To appropriate $4,629,087 of unappropriated general fund balance to support an hourly wage of $11.04 under the Minimum Compensation Ordinance for Fiscal Year 2005-2006]** **Supervisors McGoldrick, Daly**

Ordinance appropriating $4,629,087 of unappropriated general fund balance to support an hourly wage increase to $11.04 under the Minimum Compensation Ordinance for Fiscal Year 2005-2006.

(Fiscal impact.)

3/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 03/14/06 - Referred to the Youth Commission for review and comment.

060311 **[Appropriating $20,000,000 of General Fund** **Supervisor Daly**

balance for Affordable Housing Projects, Real Ownership Opportunities for Tenants, and Rental Subsidies for Fiscal Year 2005-06]

Ordinance appropriating $40,000,000 of General Fund balance for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons who are currently homeless or who are at risk of being homeless.

(Fiscal impact.)

3/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060313 **[Zoning - Interim Moratorium on Institutional Uses in the Jackson Square Special Use District and Imposing the provisions of this District on City Landmark No. 237]** Supervisor Peskin

Urgency Ordinance approving an interim zoning moratorium on the establishment or expansion of Institutional uses in the Jackson Square Special Use District and imposing the provisions of the Jackson Square Special Use District on City Landmark No. 237 (Block 195, Lot 004) for a period of 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

3/7/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

060248 **[Approve an agreement between SFPUC and SF Recycling and Disposal (SFR&D) for the installation and operation of a photovoltaic project to provide electricity to SFR&D's recycling facility at** Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission ("SFPUC") to enter into an agreement with San Francisco Recycling and Disposal ("SFR&D") for the installation and operation of a photovoltaic system and associated facilities to provide electricity to SFR&D's recycling facility at Pier 96.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/7/06, REFERRED to City Operations and Neighborhood Services Committee.

060273 **[Grant of Regional Funds - Municipal Transportation Agency]** Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $157,031 of Regional Measure 2 Operating Assistance funds.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/7/06, REFERRED to City Operations and Neighborhood Services Committee.

060274 [Accept-Expend Federal Grant - Department of the District Attorney] Supervisors Maxwell, Ammiano

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $443,989 through the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, entitled "Bayview Community Response Network".

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/7/06, REFERRED to Government Audit and Oversight Committee.

060258 [Accept-Expend Equipment - Police Department] Supervisor Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend telephone intercept equipment in the amount of $249,170 made available through the Technology Transfer Program, Office of National Drug Control Policy, Counterdrug Technology Assessment Center (ONDCP/CTAC).

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/7/06, REFERRED to City Operations and Neighborhood Services Committee.

060278 [Request for a backup plan for the June and November 2006 elections] Supervisor Mirkarimi

Resolution requesting the Department of Elections to prepare and present to the Board of Supervisors a backup plan for the June and November 2006 elections in case the Department's currently chosen vendor fails to have its voting equipment certified in time for use in such elections.

2/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/7/06, REFERRED to Rules Committee.

060309 [Extending Early Retirement Program] Mayor

Resolution extending Early Retirement Program for and through fiscal years 2006-07.

(Fiscal impact.)

3/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
03/13/06 - Referred to Human Service and Retirement System for review and comment.

060312 [Recommending approval of Community Facilities District formation and financing by the ABAG Finance Authority For Nonprofit Corporations] Supervisor Daly

Resolution recommending approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Rincon Hill Downtown Residential District; making findings; approving related joint community

facilities agreement; and granting general authority to city officials to take actions necessary to implement this resolution.

3/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
3/25/06 - Published public hearing notice for Board of Supervisors Board April 4, 2006 at 3:00 p.m.

060314 [STOP Intersections] Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Irving Street and 11th Avenue: stopping eastbound and westbound on Irving Street.

(3/6/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

3/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060315 [STOP Intersections] Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Stopping Haight Street at the south leg of Cole Street, making the west-most Cole Street T-intersection with Haight Street an all-way STOP.

PAINTED CROSSWALK - DELETE
Remove painted crosswalk crossing Haight Street at the north leg of Cole Street (to encourage pedestrian crossings at new all-way STOP).

(3/6/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

3/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060316 [Accept-Expend Federal and State Grants for Voting Equipment] Supervisor Mirkarimi

Resolution approving the application for funds under the federal Help America Vote Act of 2002 ("HAVA"), Section 301, and Proposition 41 authorizing the San Francisco Department of Elections to accept and expend grants in an amount not to exceed $3.5 million from the California Secretary of State for utilization of Elections Systems & Software's ("ES&S") AutoMARK in the June 6, 2006 election.

3/7/06, RECEIVED AND ASSIGNED to Rules Committee.

060321 [Fillmore Street Farmers Market] Supervisor Alioto-Pier

Resolution allowing for occupancy of a portion of the sidewalk and the parking lane on the east side of Fillmore between Chestnut and Bay Street from 8:00 A.M. to 3:00 P.M. on every Saturday between May 6, 2006 through

October 28, 2006.

3/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060322 **[Commending Janet Rogers]** **Supervisor Elsbernd**

Resolution commending Janet Rogers on the celebration of her 35 years of service to the City and County of San Francisco.

3/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060324 **[Accept-Expend Federal Grant - MOCJ - $37,500]** **Supervisor Maxwell**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $37,500 from the van Loben Sels/RembeRock Foundation for the purpose of exploring potential alternatives to the California Youth Authority/Division of Juvenile Justice for San Francisco youth.

3/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060323 **[Arbor Week March 13-18, 2006]** **Supervisor Ma**

Resolution declaring March 13 - 18, 2006 as "Arbor Week" in the City and County of San Francisco.

3/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060325 **[Accept-Expend Federal Grant - MOCJ - $25,000]** **Supervisor Maxwell**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $25,000 from the Haigh-Scatena Foundation for the purpose of exploring potential alternatives to the California Youth Authority/Division of Juvenile Justice for San Francisco youth.

3/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060326 **[Declaring April 22nd, 2006 as Heber Cady Tilden Day in San Francisco]** **Supervisor McGoldrick**

Resolution declaring April 22nd, 2006 as Heber Cady Tilden Day in San Francisco.

3/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060327 **[Commending Dr. David Smith]** **Supervisor Mirkarimi**

Resolution commending Dr. David Smith for 39 years of service to the community at the Haight Ashbury Free Clinic.

3/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060328 [Honoring the life of Mary Rogers] Supervisors Mirkarimi, Maxwell, Dufty

Resolution honoring the life of Mary Rogers for 40 years of community service to San Francisco fighting for the rights of a community.

3/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060329 [Accept-Expend Regional Grant - Department of the Environment] Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $200,000 from the Bay Area Air Quality Management District Transportation Fund to collaborate with the San Francisco Bike Coalition and the Metropolitan Transportation Commission on the development of a web-based point-to-point bicycle route planning tool called BikeInsight.

3/7/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests for Hearing

060280 [Budget Hearing and Review, FY 2006-07]

Hearing to consider the Annual Budget for the Municipal Transportation Agency for fiscal year 2006-2007. (Clerk of the Board)

3/1/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060305 [City's prevention and intervention strategy for communities plagued by gun and gang violence] Supervisor Maxwell

Hearing to discuss the City's prevention and intervention strategy for communities plagued by gun and gang violence. What supportive programs currently exist for victims and witnesses of violent crimes? How is the City engaging the youth in these communities, what supportive programs exists for them?

3/7/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence.

060306 [Tools used by the City to solve crimes] Supervisor Maxwell

Hearing to discuss the tools used by the City to solve crime such as police investigations, prosecution, forensic lab and witness protection programs.

3/7/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence.

060307 [City's strategy for prevention and intervention on the trafficking of guns] Supervisor Maxwell

Hearing to discuss the issue of guns. How are they trafficked? What is the City's strategy for prevention and intervention?

3/7/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence.

060308 [City's various programs for ex-offenders] Supervisor Maxwell

Hearing to discuss the City's various programs for ex-offenders from probation to community reintegration.

3/7/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence.

060317 [Joint Report from the Mayor's Office, Controller's Office, and Budget Analyst on the Three-Year General Fund Budget Projection, FY 2006-2007 through FY 2008-2009.] Supervisor Daly

Hearing to consider the Joint Report from the Mayor's Office, Controller's Office, and Budget Analyst on the Three-Year General Fund Budget Projection, FY 2006-2007 through FY 2008-2009.

3/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060318 [Overview of major departments' policy objectives for FY 2006-2007] Supervisor Daly

Hearing to consider the overview of major departments' policy objectives for FY 2006-2007.

3/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060319 [Board of Supervisors policy priorities statement to the Mayor's office for the FY 2006-2007 budget] Supervisor Daly

Hearing to consider the Board of Supervisors policy priorities statement to the Mayor's office for the FY 2006-2007 budget.

3/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060320 [Current year surplus and the Controller's budget projection for FY 2006-2007.] Supervisor Daly

Hearing to consider the relation between the current year surplus and the Controller's budget projection for FY 2006-2007.

3/7/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCE

060245 [Settlement of Lawsuit - Tutor Saliba Corporation, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, and City Attorney Dennis J. Herrera on behalf of the People of the State of California, against Ronald N. Tutor, Tutor-Saliba Corporation, Tutor-Saliba-Perini & Buckley, J.V., Perini Corporation, Buckley & Company, Inc., American Home Insurance Company, Fidelity and Deposit Company of Maryland, Swiss Reinsurance America Corporation and Aetna Casualty and Surety Company, filed on November 1, 2002 in the United States District Court, Northern District of California, Case No. 02-5286 CW (EMC), entitled City and County of San Francisco, et al., v. Tutor-Saliba Corporation, et al.; and the lawsuit filed by Tutor-Saliba Corporation against Dennis J. Herrera, Tutor-Saliba Corporation v. Herrera; filed on

February 19, 2004 in San Francisco Superior Court, Case No. Civ. 434144, California Court of Appeal Case No. A0 108712, for payment by the Tutor Defendants of $19,000,000 to the City and County of San Francisco. Other material terms of said settlement are: (1) payments to be made by Tutor-Saliba Corporation or Tutor-Saliba Perini & Buckley, J.V. to the City and County of San Francisco as follows: $8,000,000 to be paid by June 30, 2006, $3,000,000 to be paid by June 30, 2007, $3,000,000 to be paid by June 30, 2008, and $5,000,000 to be paid by June 30, 2009. (City Attorney)

2/27/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

060239 **[Airport Revenue Bonds]**

Resolution approving a form of letter of credit and reimbursement agreement relating to the Airport subordinate commercial paper notes and related matters. (Airport Commission)

2/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of extending the passenger-loading zone to 5:00 PM in front of Kipps Academy and Gateway School on Pierce Street between Geary and O'Farrell Streets.

From: Supervisor Mirkarimi

To: Director, Planning Department

To: Director, Board of Permit Appeals

Requesting/Inquiring: Inquiry to the Planning Department and the Board of Permit Appeals regarding the 1980-1998 Golden Gate Avenue, 800-808 Lyon Street - negative impacts on the City and tenants resulting from permit #200312021446; and how said permit relates to Certificate of Final Completion and Occupancy (application #446386; December 20, 1978).

From: Supervisor Mirkarimi

To: Chief, San Francisco Police Department

Requesting/Inquiring: Supervisor Mirkarimi requests information within two weeks on what security measures were enacted and what was required from the SFPD and event sponsors regarding the Rapper/Dance event that occurred this past weekend in the Western Addition which resulted in three shootings, two near fatal.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to remove graffiti at the following locations: DPT signs at 2107 O'Farrell, lamp post at Geary/Baker, building at 1409-13 Divisadero, and wood fence at 1210 Scott Street.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of installing a stop sign at Santiago Street and 15th Avenue.

In Memoriams

Father Harry Carlin, SJ - Supervisor Elsbernd

Dwayne Young - Supervisor Mirkarimi

Henry Huront Esajian - Supervisor Sandoval

Mary Helen Rogers - Entire Board

Walter G. Jebe, Sr. - Supervisor Sandoval

Marie Haver - Supervisor Sandoval

ADJOURNMENT

There being no further business, the March 7, 2006 Board adjourned at the hour of 5:08 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 4, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
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MEETING MINUTES

Tuesday, March 14, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Jake McGoldrick.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisor McGoldrick was noted absent.

There was a quorum.

Supervisor McGoldrick was excused from attending today's meeting.

Supervisor McGoldrick Excused from Attendance

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the February 7, 2006 and February 14, 2006 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

COMMUNICATIONS

Kay Gulbengay, Deputy Clerk, informed the Board that the Clerk of the Board's Office was in receipt of a communication from the Mayor vetoing File No. 051453 legislation changing parking requirements in San Francisco's downtown (C-3) district.

The matter will be on the March 21, 2006 Board agenda for consideration.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

060215 [To appropriate $4,910,000 of funding from the General Fund Reserve and de-appropriate savings to fund cost overruns in the Police Department for Fiscal Year 2005-2006.] Supervisor Daly

Ordinance appropriating $4,910,000, including $3,570,000 of funding from the General Fund Reserve and de-appropriating $1,300,000 in workers' compensation savings and $40,000 in permanent miscellaneous salary cost savings, to fund the cost overruns of overtime, and adjust salaries and fringe benefits in the Police Department for Fiscal Year 2005-06.

(Fiscal impact.)

Enacted Number: 48-06

FINALLY PASSED

051908 [Health Care Accountability Ordinance] Supervisors Ammiano, McGoldrick, Ma

Ordinance amending the San Francisco Administrative Code by amending Sections 12Q.2.1, 12Q.2.2, 12Q.2.9, 12Q.3, 12Q.4, 12Q.5 and 12Q.6, and adding Sections 12Q.5.1, and 12Q.5.2, and 12Q.8 to: change the requirements of the Health Care Accountability Ordinance with respect to health benefit plans, exemptions for certain categories of employees and agreements, and the payment rates due from employers; authorize the Health Commission to increase the payment rates; authorize the withholding of contract payments; make both substantive and clarifying changes with respect to obligations imposed on Contracting Parties for notification, investigation, auditing, inspection, enforcement, and settlement procedures; revise procedures for the assessment of liquidated damages; establish a process for determining violations and for the administrative appeal of such determinations; authorize waiver of requirements of the Ordinance through collective bargaining; and ratify certain administrative actions.

(Fiscal impact.)

Enacted Number: 49-06

FINALLY PASSED

060031 [Approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN) for registration of Internet Protocol address space] — Supervisor Dufty

Ordinance approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN), for the registration of Internet Protocol address space, required to increase the City's bandwidth on the Internet and designating ARIN as the sole source contractor for the registration of Internet Addresses, and waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, and approving the City indemnifying and holding ARIN harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, and waiving the requirement of Section 21.19(d) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision.

Enacted Number: 45-06

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

060223 [MOU - Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)] — Mayor

Ordinance adopting and implementing Amendment No. 2, the negotiated agreement that amends the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by amending the parties' agreement to reflect wages, hours and working conditions for classification H-3 EMT/Paramedic/Firefighter.

Enacted Number: 46-06

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

051889 [Policy that the City should supply electricity to new City developments where feasible] — Supervisors Mirkarimi, Sandoval, Maxwell, Daly, Peskin, Ammiano

Ordinance amending the Administrative Code to add Chapter 99: Public Power in New City Developments, establishing as the policy of the City and

County of San Francisco that, where feasible, the City shall be the electricity provider for new City developments, including military bases and redevelopment projects.

Enacted Number: 47-06
FINALLY PASSED

Recommendations of the Rules Committee

060164 [Settlement of Lawsuit - CCSF v. ARCO et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Airport Group International (AGI) for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

PASSED, ON FIRST READING

060163 [Settlement of Claim - James Mead]

Resolution approving the settlement of the unlitigated claim filed by Mr. James Mead, against San Francisco for $77,500; claim was filed on June 22, 2005.

Enacted Number: 142-06
ADOPTED

060282 [Appointment - Sunshine Ordinance Task Force]

Resolution appointing Pueng Vongs, term ending April 27, 2007, and Hanley Chan, term ending April 27, 2006, to the Sunshine Ordinance Task Force.

Pueng Vongs, succeeding Rosalina Contrereas-Rosado, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for a two-year term ending April 27, 2007. Hanley Chan, succeeding Edgar Parker, Jr., resigned, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2006.

Enacted Number: 143-06

ADOPTED

060283 [Appointment - Library Citizens Advisory Committee]

Resolution appointing Richard Lee Mason, term ending July 18, 2006, to the Library Citizens Advisory Committee.

Richard Lee Mason, succeeding Gayle Leyton, seat 12, must be member from the community at large, representative of senior citizens, for the unexpired portion of a two-year term ending July 18, 2006.

Enacted Number: 144-06
ADOPTED

060285 [Appointment - Graffiti Advisory Board]

Resolution appointing Deborah Mansfield and Doug Diboll, for indefinite terms, to the Graffiti Advisory Board.

Deborah Mansfield, succeeding John Omernik, seat 8, resigned, must represent private schools operating in San Francisco, for an indefinite term. Doug Diboll, succeeding Deborah Mansfield, seat 11, resigned, non-voting member, must represent neighborhood organization, for an indefinite term.

Enacted Number: 145-06
ADOPTED

060281 [Appointment - Small Business Commission]

Motion appointing David Chiu, term ending January 6, 2010, to the Small Business Commission.

David Chiu, succeeding David Sahagun, seat 2, term expired, must be appointed by the Board of Supervisors and be an owner, operator, or officer of a San Francisco small business, for the unexpired portion of a four-year term ending January 6, 2010.

Enacted Number: M06-30
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

050298 **[Repealing Ordinance Number 72-04 Conditionally Designating 690 Market as a Landmark]** — **Supervisor Peskin**

Ordinance Repealing Ordinance Number 72-04 Conditionally Designating 690 Market, the Chronicle Building, As Landmark No. 243 under Article 10 of the Planning Code.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060081 **[Minor Sidewalk Encroachments - Partial repeal of public right-of-way occupancy assessment fee]** — **Supervisors Alioto-Pier, Dufty, Maxwell**

Ordinance amending Public Works Code Section 723.2 to repeal the public right-of-way occupancy assessment fee for specified minor sidewalk encroachments and to delineate those specified minor sidewalk encroachments for which the fee shall apply; and making repeal of the fee for specified encroachments set forth herein retroactive to August 29, 2005.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060216 **[To appropriate funding for San Francisco General Hospital operations and capital projects, Laguna Honda Hospital operations and Department of Public Health operations]** — **Supervisors Daly, Mirkarimi**

Ordinance appropriating $14,366,156 to the Department of Public Health,

including $7,777,353 in surplus health revenues from San Francisco General Hospital (SFGH), de-appropriating $740,000 in General Fund dollars from the SFGH Chiller and Generator capital project, $1,800,000 in transfer from PUC Mayor's Economic Conservation Account (MECA) Fund and $4,048,803 in Laguna Honda Hospital Medical In-Patient Revenue; and appropriating the $7,777,353 in surplus health revenues for SFGH salaries, non-personnel services, and capital improvements to the SFGH Service Building, and re-appropriating $740,000 to the Service Building Seismic Retrofit capital project, $1,800,000 for the SFGH Chiller/Generator project and appropriating $3,998,803 for salaries, and non-personnel at Laguna Honda Hospital and $50,000 in salaries at Department of Public Health.

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060254 **[Public Employment - Department of Public Health]** **Mayor**

Ordinance amending Ordinance No. 2004-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of one position in the Department of Public Health.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060131 **[Modification of Easement Deed]**

Resolution approving a modification to an existing Easement Deed between Pacific Gas & Electric Company, a California public utility, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC") for the realignment of an existing gas line on City land under the jurisdiction of the SFPUC located in Sunol, California. (Real Estate Department)

Enacted Number: 150-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

From the Budget and Finance Committee Without Recommendation

060079 **[Lease of Real Property at One South Van Ness Avenue]** Mayor

Resolution authorizing the lease of approximately 66,565 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency and the City and County of San Francisco's 311 Call Center.

(Fiscal impact.)

Enacted Number: 140-06

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 3 - Daly, Mirkarimi, Sandoval
Excused: 1 - McGoldrick

Recess

The Board recessed at the hour of 3:05 p.m.

Reconvening of the Board

The Board reconvened at the hour of 3:35 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval - 10

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Supervisor Mirkarimi introduced, welcomed and presented a Certificate of

Honor to Elena Wheaton in recognition of 35 years of dedicated service as a teacher and principal in the San Francisco Unified School District.

COMMITTEE REPORTS

060151 **[Implementation of Proposition H, which prohibits the sale, manufacture or distribution of firearms and limits possession of handguns within CCSF, by placement in the Police Code and by** **Mayor**

Ordinance implementing Proposition H, which was enacted by the voters on November 8, 2005, and which prohibits the sale, distribution, transfer, and manufacture of firearms and ammunition and limits possession of handguns within the City and County of San Francisco, by placing the text of Proposition H in the Police Code and by enacting penalties for its violation.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060274 **[Accept-Expend Federal Grant - Department of the District Attorney]** **Supervisors Maxwell, Ammiano**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $443,989 through the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, entitled "Bayview Community Response Network".

Supervisor Ammiano requested to be added as cosponsor.

Enacted Number: 151-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which

have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffe; showed interest in National Sunshine Week

Walter; expressed to Board in song appreciation of life.

Eugene Gordon, Jr.; expressed concern regarding human rights issues

John Didona; expressed concerns regarding Iraq war through words from song

Chung Lim; expressed concerns regarding treatment of Falun Gong practitioners

Male speaker; expressed concern regarding homophobic graffiti and concern for lack of punishment for hit and run drivers in San Francisco

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 23-27 on the Without Reference to Committee Agenda were adopted by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 1 - Daly

Excused: 1 - McGoldrick

Supervisor Daly, seconded by Supervisor Maxwell, moved to rescind the previous vote.

Motion to rescind the previous vote carried without objection.

060322 [Commending Janet Rogers] Supervisor Elsbernd

Resolution commending Janet Rogers on the celebration of her 35 years of service to the City and County of San Francisco.

Enacted Number: 146-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060323 [Arbor Week March 13-18, 2006] Supervisor Ma

Resolution declaring March 13 - 18, 2006 as "Arbor Week" in the City and County of San Francisco.

Enacted Number: 147-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060326 [Declaring April 22nd, 2006 as Heber Cady Tilden Day in San Francisco] Supervisor McGoldrick

Resolution declaring April 22nd, 2006 as Heber Cady Tilden Day in San Francisco.

Enacted Number: 148-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060327 [Commending Dr. David Smith] Supervisor Mirkarimi

Resolution commending Dr. David Smith for 39 years of service to the community at the Haight Ashbury Free Clinic.

Enacted Number: 149-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

060328 [Honoring the life of Mary Rogers] Supervisors Mirkarimi, Maxwell, Dufty

Resolution honoring the life of Mary Rogers for 40 years of community service to San Francisco fighting for the rights of a community.

Enacted Number: 153-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Severed From the Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

060271 **[Urging Representatives Nancy Pelosi and Tom Lantos to support HR 4232, the "End the War in Iraq Act of 2005"]** **Supervisors Daly, Ammiano, Mirkarimi**

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring HR 4232, the End the War in Iraq Act of 2005, introduced by Representative Jim McGovern; and urging Senators Diane Feinstein and Barbara Boxer to file legislation to the same effect in the Senate.

Enacted Number: 152-06

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 1 - Daly
Excused: 1 - McGoldrick

Supervisor Mirkarimi, seconded by Supervisor Sandoval, moved to rescind the previous vote on the advice of the Deputy City Attorney.

Motion to rescind the previous vote carried without objection.

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050784 **[Establishing a Small Local Business Enterprise Program; Prohibiting Discrimination in Contracting and Subcontracting]** Supervisor Ma

Ordinance amending the San Francisco Administrative Code by adding Chapter 14B to establish a Small and Micro Local Business Enterprise Program, prohibit discrimination in City contracting, and suspend Chapter 12D.A.

5/3/05, RECEIVED AND ASSIGNED to Rules Committee.

5/16/05, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and recommendation.

8/11/05, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and recommendation.

3/14/06, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing same title.

3/14/06, ASSIGNED to Rules Committee.

060077 **[Adding a $1.00 fuel surcharge to taxi fares and eliminating the cap on taxicab gate fees]** Supervisor Ma

Ordinance amending the San Francisco Police Code by amending Sections 1135 and 1137 to add a $1.00 fuel surcharge to the $2.85 taxi rate of fare for the first fifth of a mile, the surcharge to expire on November 1, 2008 unless renewed, and by repealing Section 1135.1 and further amending Section 1137 to eliminate the cap on taxi gate fees; fuel surcharge to supersede existing procedures for review of taxi rates of fare for 2006.

1/24/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/23/2006. 01/31/06 - Referred to Taxi Commission and Small Business Commission. Referred Planning for environmental review. 02/03/06 - Response received from Planning, exempt from CEQA, non-physical exemption.

3/14/06, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

3/14/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/13/2006. 03/28/06 - Referred to the taxi Commissionand the Small Business Commission.

060169 [Street closure barricades] Supervisor Peskin

Ordinance amending Section 807 of the Traffic Code to require sponsors of certain events involving street closure to procure and install barricades required to maintain public safety.

2/7/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/9/2006. 2/13/06 - 30 Day Rule waived by Board President.

2/15/06, REFERRED TO DEPARTMENT. Referred to Parking and Traffic for determination of environmental impact.

2/27/06, RESPONSE RECEIVED. Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

3/14/06, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing same title.

3/14/06, TRANSFERRED to Budget and Finance Committee.

060341 [To appropriate $7,808,000 of Unappropriated General Fund Balance to support City art funding for Fiscal Year 2005-2006] Supervisor Ma

Ordinance appropriating $7,808,000 of Unappropriated General Fund Revenue to support Grants for the Arts, Cultural Equity Endowment, Cultural Centers, Asian Arts Museum, Fine Arts Museum, War Memorial and Performing Arts Center for Fiscal Year 2005-2006.

(Fiscal impact.)

3/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060343 [Adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project] Supervisor Maxwell

Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Fiscal impact.)

3/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/13/2006. SUPPORTING DOCUMENTS: Proposed Bayview Hunters Point Redevelopment (BVHP) Plan Amendment; Color Map of the Proposed BVHP Project Area; BVHP Community Revitalization Concept Plan; Supplemental Report; Draft Environmental Impact Report (EIR) on BVHP Plan Amendments and Rezoning; Comments and Responses on the Draft EIR; Redevelopment Agency Resolutions 32-2006, 33-2006, 34-2006; Planning Commission Motions 17203, 17200, and 17201.

060344 [Corrective amendment to Administrative Code Section 6.61] Supervisor Peskin

Ordinance approving a corrective amendment to Administrative Code Chapter 6, Section 6.61, to conform to amendment approved April 1, 2005, under Ordinance 58-05, File No. 041571.

3/14/06, RECEIVED AND ASSIGNED to Rules Committee.

060345 **[Zoning - Jackson Square Special Use District]** Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 249.25 (Jackson Square Special Use District) to require that ground floor institutional use be subject to conditional use authorization and by amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to include Lot 4, Block 195 (site of City Landmark No. 237) within the boundaries of the Jackson Square Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

3/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/13/2006.

060346 **[Zoning Map Amendment - Northwest corner of Divisadero and O'Farrell Streets, Block 1098, Lot 9]** Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sheet 2 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 1098, Lot 9 from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; adopting findings, including environmental findings and findings pursuant to Planning Code Sections 302 and 101.1.

3/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/13/2006.

060347 **[Transbay Redevelopment Project - Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement]** Supervisor Daly

Ordinance approving a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement for the Transbay Redevelopment Project Area between the City and County of San Francisco, the Transbay Joint Powers Authority and the Redevelopment Agency of the City and County of San Francisco; making environmental findings and findings of consistency with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1; authorizing other steps to implement the Transbay Redevelopment Plan; and adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679.

(Fiscal impact.)

3/14/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/13/2006.

060349 **[Reenacting a Disadvantaged Business Enterprise Program]**

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of

emergency.

3/14/06, ASSIGNED to Board of Supervisors.

060354 **[Approving General Plan amendments to South Bayshore Area Plan]** **Supervisor Maxwell**

Ordinance approving General Plan amendments to the South Bayshore Area Plan; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

3/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/13/2006. SUPPORTING DOCUMENTS: Planning Commission Motion 17200 certifying the EIR; Findings related to CEQA; Case Report; Planning Commission Motion 17201 adopting CEQA Findings; Case Report and Planning Commission Resolution No. 17202 adopting amendments to the South Bayshore Area Plan.

Resolutions

060340 **[Urging Governor Schwarzenegger to submit amicus brief to New York Supreme Court of Appeals in support of the right of same-sex civil marriage]** **Supervisor Ammiano**

Resolution urging Governor Schwarzenegger to submit an amicus brief to the New York Court of Appeals in support of the right of same-sex civil marriage.

3/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060342 **[Traffic Regulation - Mendell Street between Palou Avenue]** **Supervisor Maxwell**

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Mendell Street between Palou Avenue and 70 linear feet southwest of Oakdale Avenue from 6:30 A.M. to 3:30 P.M. on every Saturday between April 29, 2006 through December 9, 2006.

3/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060351 **[STOP Intersections]** **Supervisor Dufty**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Duncan and Dolores Streets, stopping Dolores Street at Duncan Street, making this intersection an All-Way STOP.

3/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060352 **[Traffic Regulations]** **Supervisors Mirkarimi, Dufty**

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Market Street, westbound, from Van Ness Avenue to Octavia Boulevard, and eastbound, from Gough Street to 12th Street.

3/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060353 **[Parking Regulations]** **Supervisor Mirkarimi**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING, MONDAY THROUGH FRIDAY, 4PM - 7PM - RESCIND
Market Street, north side, from Gough Street to Octavia Boulevard.

TOW-AWAY, NO STOPPING MONDAY THROUGH FRIDAY, 7AM - 9AM - RESCIND
Market Street, south side, from Gough Street to 12th Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Market Street, north side, from Gough Street to Octavia Boulevard.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Market Street, south side, from Gough Street to 12th Street.

PERPENDICULAR PARKING - ESTABLISH
12th Street, west side, from Market Street to 400 feet southerly.

DIAGONAL PARKING (45-DEGREE ANGLED) - ESTABLISH
Gough Street, east side, from Market Street to 104 feet southerly, and from Stevenson Street to Colton Street.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9AM - 6PM, MONDAY THROUGH SATURDAY - ESTABLISH
Gough Street, east side, from Market Street to Colton Street, and west side, from Market Street to McCoppin Street.

ONE-HOUR TIME LIMIT, 7AM - 6PM, MONDAY THROUGH SATURDAY - RESCIND
Gough Street, east side, from Market Street to Stevenson Street, and west side, from Market Street to McCoppin Street.

3/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060355 **[Multifamily Housing Revenue Bonds - 575 Eddy Street Apartments]** **Supervisor Daly**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $4,946,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.

3/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060356 [Urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples] — Supervisors Ammiano, Dufty, Alioto-Pier, Mirkarimi, Ma, Daly

Resolution urging Cardinal William Levada, in his capacity as head of the Congregation for the Doctrine of the Faith at the Vatican, to withdraw his discriminatory and defamatory directive that Catholic Charities of the Archdiocese of San Francisco stop placing children in need of adoption with homosexual households.

3/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060357 [Administration of the South of Market (SOMA) Community Stabilization Fund] — Supervisor Daly

Resolution approving support for the Mayor's Office of Community Development to administer the SOMA Community Stabilization Fund.

(Fiscal impact.)

3/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060358 [Commending Peter Tannen for his leadership in the Bicycle Program] — Supervisor Dufty

Resolution commending Peter Tannen for his leadership in the Bicycle Program and his successful initiation of the Bike Plan creating safety measures dedicated to improve the streets of San Francisco and the safety of its bicyclists.

3/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060360 [Social Workers Month] — Supervisor Peskin

Resolution proclaiming the month of March 2006 as Professional Social Work Month.

3/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060361 [National Biological Foundry] — Supervisors Peskin, Alioto-Pier

Resolution endorsing the application to the United States Department of Energy by the California Council on Science and Technology to establish a National Biological Foundry in San Francisco.

3/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060362 [Supporting Senate Bill 1749 - Transit Fare Evasion] — Supervisor Peskin

Resolution endorsing Senate Bill 1749, a measure aimed at assisting the MTA in collecting greater revenues from minor transit citations, and urging its passage in the California State Legislature.

3/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060363 [Protect California State Park Lands] Supervisor Peskin

Resolution requesting the Foothill/Eastern Transportation Corridor Agency immediately and permanently withdraw its plans to construct a toll road through the San Onofre State Beach and urging the Director of Public Finance to refrain from acquiring any bonds for, or making other financial investments in, the Toll Road project.

3/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060348 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]

Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

3/14/06, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on March 21, 2006, at 4:00 p.m.

060350 [Bed Bugs Infestation] Supervisor Daly

Hearing on bed bugs and the impact of the infestation on the City and County of San Francisco. Also to hear how the Department of Health responds to calls on infestation, the investigation of suspected infested buildings and the methods of enforcement.

3/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

060359 [Emergency Disadvantaged Business Enterprise Program - March 21, 2006, Committee of the Whole] Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on March 21, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

3/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

060302 [Settlement of Lawsuit - Iva Hetzel]

Ordinance authorizing settlement of the lawsuit filed by Iva Hetzel against the City and County of San Francisco for $50,000; the lawsuit was filed on November 2, 2000 in San Francisco Superior Court, Case No. 434-793; entitled Iva Hetzel, et al., v. City and County of San Francisco, et al. (City Attorney)

3/6/06, RECEIVED AND ASSIGNED to Rules Committee.

060303 [Settlement of Lawsuit - Gisselle Shepherd]

Ordinance authorizing settlement of the lawsuit filed by Gisselle Shepherd against the City and County of San Francisco for $140,000; the lawsuit was filed on September 18, 2003 in San Francisco Superior Court, Case No. 424-524; entitled Gisselle Shepherd, et al., v. City and County of San Francisco, et al. (City Attorney)

3/6/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

060290 [Settlement Agreement Regarding SACPA Audit]

Resolution approving the Health Department's entering into a Settlement Agreement with the State of California resolving the State's claim for reimbursement by the City and County of funds provided by the State to the County under the SACPA program for fiscal year July 1, 2001 through June 30, 2002. (City Attorney)

2/28/06, RECEIVED AND ASSIGNED to Rules Committee.

060293 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Jackson Street at Leavenworth Street, westbound, making this intersection an All-Way STOP;
Monterey Boulevard and Congo Street, stopping Monterey Boulevard, making this intersection an All-Way STOP;
14th and Harrison Streets, stopping Harrison Street, making this intersection an All-Way STOP; and,
San Bruno Avenue at Felton Street, stopping San Bruno Avenue, making this intersection an All-Way STOP. (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

3/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060294 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rhode Island Street, both sides, from the 1100 block of Rhode Island to 22nd Street (1000 block); and,
Bryant Street, both sides, between 21st and 22nd Streets (2300 block).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Lincoln Avenue, south side, between 7th and 8th Avenues (600 block).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Divisadero Street, west side, between Haight and Waller Streets (200 block, odd numbers).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between Cesar Chavez and 27th Streets (portion of the 1400 block).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Geary Street, south side, from the Powell Street intersection to 138 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
South Van Ness Avenue, west side, from 60 to 100 feet north of Cesar Chavez Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Harriet Street, west side, from 245 feet to 292 feet north of Bryant Street (A 47-foot zone accommodating 12 unmetered motorcycle spaces).

TOW-AWAY, NO PARKING, 8 PM TO 4 AM, FRIDAY NIGHT THROUGH SUNDAY MORNING - ESTABLISH
Broadway, both sides, between Columbus Avenue and Montgomery Street.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, between Main and Beale Streets.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, from Beale Street to 200 feet westerly.

BUS STOP, TOW-AWAY, NO PARKING, 6 AM TO 10 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Howard Street, south side, from Spear Street to 90 feet easterly.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Howard Street, north side, from Beale Street to 200 feet westerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Holyoke Street, west side, between Woolsey Street and Karen Court.

TOW-AWAY, NO PARKING ANYTIME - RESCIND

Guerrero Street, east side, from 21st Street to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
10th Avenue, east side, between the driveways of 1365 and 1371 10th Avenue (accommodating 2 unmetered motorcycle spaces). (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

3/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060295 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Howard Street, eastbound, approaching Spear Street.

BICYCLE LANE - ESTABLISH
Howard Street, westbound, from the Embarcadero to Fremont Street

BICYCLE LANE - ESTABLISH
Northbound Potrero Avenue at the Cesar Chavez Interchange, from the 101 southbound off-ramp to 190 feet southerly.

MULTIPLE LEFT TURN LANES - RESCIND
Fell Street, westbound, at Octavia Boulevard.

LEFT LANE MUST TURN LEFT - RESCIND
Fell Street, westbound, at Octavia Boulevard.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - RESCIND
Van Ness Avenue southbound, at Bay Street. (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

3/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060296 **[Contract funds to participate in the HIV Prevention Trials Unit Protocol 039 study, Yr. 2]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into an agreement with PHFE Management Solutions (PHFE), the primary contractor, and expend funds in the amount of $55,140 to participate in the HIV Prevention Trials Unit Protocol 039 study; for the period of July 1, 2005, to June 30, 2006. (Public Health Department)

3/1/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests Granted

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking & Traffic to consider installing count down signals at the following intersections:

1) Silver and San Bruno Avenue

2) Bacon and San Bruno Avenue

3) Paul, Dwight and San Bruno Avenue

From: Supervisor Sandoval

To: Director, Department of Public Works

To: Director, Department of Recreation and Parks

Requesting/Inquiring: Inquiring about the feasibility of installing a JC Decaux toilet in Crocker-Amazon Playground. The departments should include the cost of installation and a comparison of the cost of installing the JC Decaux toilets in Golden Gate Park and Twin Peaks.

cc: Mary Harris, Pres.

District 11 Council

127 Granada Avenue

San Francisco, Ca 941112

Steve Courier, Outer Mission Residents

116 Drake Street

San Francisco, CA 94112

From: Supervisor Sandoval

To: Director, Department of Public Health

Requesting/Inquiring: Inquiring about the process that all Medical Cannabis Dispensaries (MCD) must follow in order to obtain business licenses.

The written response should explain in detail every step a MCD must follow in order to be operating in accordance with the ordinance passed by the Board of Supervisors in 2005. It should also include an explanation of the opportunity communities have to comment on any application for operation

by an owner of such a business. Additionally, please include all information regarding the two MCD's on Ocean Avenue currently in operation, including copies of all permits and applications pertaining to these businesses.

cc:Mary Harris, Pres.

President, District 11 Council

127 Granada Avenue

San Francisco, CA 94112

Dan

In Memoriams

Ashlyn Dyer - Entire Board

Special Board of Supervisors Meeting

Budget and Finance Committee

March 15, 2006

At the hour of 5:20 p.m. Supervisor Sophie Maxwell was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors for the following items. A Special Board of Supervisors meeting was convened.

Present: Chris Daly, Bevan Dufty, Aaron Peskin, Ross Mirkarimi,

Sean Elsbernd, Sophie Maxwell

060320 [Current year surplus and the Controller's budget projection for FY 2006-2007]

Hearing to consider the relation between the current year surplus and the Controller's budget projection for FY 2006-2007.

Continued to March 22, 2006

Ayes: 5 - Daly, Dufty, Peskin, Mirkarimi, Elsbernd

060262 [Supplemental appropriation process and plan for allocating current year surplus]

Hearing to consider supplemental appropriation process and plan for allocating current year surplus of $137,310,000.

Continued to March 22, 2006

Ayes: 5 - Daly, Dufty, Peskin, Mirkarimi, Elsbernd

At the hour of 7:03 p.m. Supervisor Sophie Maxwell was noted absent and there was no longer a quorum of the Board of Supervisors.

The Special Board of Supervisors meeting adjourned at 7:03 p.m.

ADJOURNMENT

There being no further business, the March 14, 2006 2006 Board meeting adjourned at the hour of 3:42 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 4, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.
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翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, March 21, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

050298 [Repealing Ordinance Number 72-04 Conditionally Designating 690 Market as a Landmark] — Supervisor Peskin

Ordinance Repealing Ordinance Number 72-04 Conditionally Designating 690 Market, the Chronicle Building, As Landmark No. 243 under Article 10 of the Planning Code.

Enacted Number: 54-06

FINALLY PASSED

060081 [Minor Sidewalk Encroachments - Partial repeal — Supervisors Alioto-Pier,

of public right-of-way occupancy assessment fee] **Dufty, Maxwell**

Ordinance amending Public Works Code Section 723.2 to repeal the public right-of-way occupancy assessment fee for specified minor sidewalk encroachments and to delineate those specified minor sidewalk encroachments for which the fee shall apply; and making repeal of the fee for specified encroachments set forth herein retroactive to August 29, 2005.

Enacted Number: 57-06

FINALLY PASSED

060216 **[To appropriate funding for San Francisco General Hospital operations and capital projects, Laguna Honda Hospital operations and Department of Public Health operations]** **Supervisors Daly, Mirkarimi**

Ordinance appropriating $14,366,156 to the Department of Public Health, including $7,777,353 in surplus health revenues from San Francisco General Hospital (SFGH), de-appropriating $740,000 in General Fund dollars from the SFGH Chiller and Generator capital project, $1,800,000 in transfer from PUC Mayor's Economic Conservation Account (MECA) Fund and $4,048,803 in Laguna Honda Hospital Medical In-Patient Revenue; and appropriating the $7,777,353 in surplus health revenues for SFGH salaries, non-personnel services, and capital improvements to the SFGH Service Building, and re-appropriating $740,000 to the Service Building Seismic Retrofit capital project, $1,800,000 for the SFGH Chiller/Generator project and appropriating $3,998,803 for salaries, and non-personnel at Laguna Honda Hospital and $50,000 in salaries at Department of Public Health.

(Fiscal impact.)

Enacted Number: 53-06

FINALLY PASSED

060254 **[Public Employment - Department of Public Health]** **Mayor**

Ordinance amending Ordinance No. 2004-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of one position in the Department of Public Health.

Enacted Number: 56-06

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

060046 [Liquor License - 1141 Polk Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Raimondo Morrone for Space Gallery located at 1141 Polk Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 158-06

ADOPTED

060057 [Liquor License, 1168 Folsom Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Craig Wathen, for City Beer Store located at 1168 Folsom Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 159-06

ADOPTED

060186 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ), for Police Department computing environment and network infrastructure] Supervisor Ma

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $986,643 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of renovating the Police Department computing environment and network infrastructure for the new Records Management System (RMS) application. The new system will provide a more efficient work environment, more accurate information and enhanced safety for both the public and officers.

Enacted Number: 154-06

ADOPTED

060187 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ), for Violence Prevention Plan] Supervisor Ma

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $248,170 from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) through a subcontract with the University of California-San Francisco (UCSF) for the purpose of developing a city-wide Violence Prevention Plan.

Enacted Number: 141-06

ADOPTED

060228 [Grant to develop clinical guidelines for HIV positive transgender persons] Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new federal grant in the amount of $110,343 from the Health Resources and Services Administration (HRSA) to develop clinical guidelines for HIV positive transgender persons, and to enter into an agreement for the use of these funds; for the period of September 30, 2005, to September 29, 2006.

Enacted Number: 155-06

ADOPTED

Recommendations of the Rules Committee

060151 [Implementation of Proposition H, which prohibits the sale, manufacture or distribution of firearms and limits possession of handguns within CCSF, by placement in the Police Code and by Mayor

Ordinance implementing Proposition H, which was enacted by the voters on November 8, 2005, and which prohibits the sale, distribution, transfer, and manufacture of firearms and ammunition and limits possession of handguns within the City and County of San Francisco, by placing the text of Proposition H in the Police Code and by enacting penalties for its violation.

Enacted Number: 55-06

FINALLY PASSED

060164 [Settlement of Lawsuit - CCSF v. ARCO et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Airport Group International (AGI) for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

Enacted Number: 51-06

FINALLY PASSED

060245 [Settlement of Lawsuit - Tutor Saliba Corporation, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, and City Attorney Dennis J. Herrera on behalf of the People of the State of California, against Ronald N. Tutor, Tutor-Saliba Corporation, Tutor-Saliba-Perini & Buckley, J.V., Perini Corporation, Buckley & Company, Inc., American Home Insurance Company, Fidelity and Deposit Company of Maryland, Swiss Reinsurance America Corporation and Aetna Casualty and Surety Company, filed on November 1, 2002 in the United States District Court, Northern District of California, Case No. 02-5286 CW (EMC), entitled City and County of San Francisco, et al., v. Tutor-Saliba Corporation, et al.; and the lawsuit filed by Tutor-Saliba Corporation against Dennis J. Herrera, Tutor-Saliba Corporation v. Herrera; filed on February 19, 2004 in San Francisco Superior Court, Case No. Civ. 434144, California Court of Appeal Case No. A0 108712, for payment by the Tutor Defendants of $19,000,000 to the City and County of San Francisco. Other material terms of said settlement are: (1) payments to be made by Tutor-Saliba Corporation or Tutor-Saliba Perini & Buckley, J.V. to the City and County of San Francisco as follows: $8,000,000 to be paid by June 30, 2006, $3,000,000 to be paid by June 30, 2007, $3,000,000 to be paid by June 30, 2008, and $5,000,000 to be paid by June 30, 2009. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

051453 [Off-Street Parking In C-3 Zoning Districts] Supervisors Peskin, Daly

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161,166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on March 10, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before April 10, 2006.

Consideration of the Mayor's Veto.

Motion to override the Mayor's veto failed by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Recommendation of the Budget and Finance Committee

060076 **[To appropriate $5,216,754 to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for DPW for Fiscal Year 2005-06]** **Mayor**

Ordinance appropriating $5,216,754 of Fiscal Year 2005-2006 State Traffic Congestion Relief Funds to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

Enacted Number: 50-06

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060226 **[To appropriate $6,565,452 to fund the Juvenile Hall Youth Guidance Center Project construction, and to appropriate $1,900,000 for Fire Station No. 24 for the Department of Public Works for** **Mayor**

Ordinance appropriating $6,565,452, including the de-appropriation of $1,900,000 from the Earthquake Safety Improvement Bonds Phase 1 proceeds, $2,591,458 from the Juvenile Hall Replacement Project COP Reserve/Surety Bond Funds, $1,503,000 from General Fund Capital Program Projects, $453,000 from workers' compensation savings, and $117,994 from Juvenile Hall California Youth Authority General Fund operational savings,

to fund the City and County of San Francisco Juvenile Hall Youth Guidance Center Project construction. Additionally, appropriating $1,900,000 of Fire Bond proceeds to fund construction expenses for Fire Station No. 24 for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.) (Supervisors Daly and Peskin dissenting in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Daly, Peskin

060208 **[Authorize payment of performance fees and for final closeout of the Water Infrastructure Partners contract for an amount not to exceed $487,726]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to pay performance fees for Contract Year No. 4 for final closeout of the Agreement with the Water Infrastructure Partners for an amount not to exceed $487,726. (Public Utilities Commission)

(Fiscal impact.)

Enacted Number: 161-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

051962 **[Membership in the Asthma Task Force]** **Supervisor Maxwell**

Ordinance amending Sections 19A.20 and 19A.23 of the San Francisco Administrative Code to reduce the number of voting members in the Asthma Task Force from 20 to 15 members, modify the list of non-voting members from City agencies, and extend the Task Force expiration date to June 30, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

060136 [Public Hearing]

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, for property located at 1101 Persia Avenue the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board members.

Harry Gulbengay, representative of the Department of Public Works

Anthony Lincoln, Property Owner, 1101 Persia Avenue

Board requested that the staff representative from the Department of Public Works review issues raised by the property owner during the next week to seek resolution to this matter.

Continued to March 28, 2006.

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Hearing be HEARD AT PUBLIC HEARING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060137 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

(DPW Order No. 175,878; Location: 220 Jones Street)

Question divided by deleting the property located at 1101 Persia Avenue and considering it separately under File 060403.

Enacted Number: 160-06

ADOPTED AS DIVIDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060403 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, for property located at 1101 Persia Avenue the costs thereof having been

paid for out of a revolving fund.

(DPW Order No. 175,878; Location: 1101 Persia Avenue.)

Continued to March 28, 2006

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 2:52 p.m.

Reconvening of the Board

The Board reconvened at the hour of 3:00 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 11

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi introduced, welcomed and presented a Certificate of Honor to Sandy Mori in recognition of her efforts to save Japan Town.

Supervisor Maxwell introduced, welcomed and presented Certificates of Honor to members of the Black Swim Team.

Recess

The Board recessed at the hour of 3:25 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:02 p.m.

Calling the Roll

The following Supervisors were noted present: Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 8

Supervisor Ammiano was noted present at 4:03 p.m.

Supervisor Sandoval was noted present at 4:05 p.m.

Supervisor Alioto-Pier was noted present at 4:06 p.m.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

060348 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**

Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

The President inquired as to whether or not any member of the public

wished to address the Board members.

Todd Lewis, Mega Pacific Electric Supplies, support of legislation

Warren Selstrom, Lawyers Committee for Civil Rights, support of legislation and requested permanent legislation be passed

Eileen Hernandez; support of legislation

Karen Woo, Asian, Inc.; support of legislation

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

060349 **[Reenacting a Disadvantaged Business Enterprise Program]** Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: 52-06

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

060316 **[Accept-Expend Federal and State Grants for Voting Equipment]** Supervisor Mirkarimi

Resolution approving the application for funds under the federal Help America Vote Act of 2002 ("HAVA"), Section 301, and Proposition 41 authorizing the San Francisco Department of Elections to accept and expend

grants in an amount not to exceed $3.5 million from the California Secretary of State for utilization of Elections Systems & Software's ("ES&S") AutoMARK in the June 6, 2006 election.

Enacted Number: 156-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues related to the Iraq War

Dr. Ahimsa Porter Sumchai; expressed concern about the Laguna Honda Special Use District

James Chaffee; expressed concern with library issues

Walter; showed interest in miracles

Eugene Gordon, Jr.; expressed concerns with issues related to human rights conditions

Mr. Zekeechee; expressed concern about concentration camps involving Falun Gong practitioners

Ken Johnson; showed interest in Wealth Awareness Week

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

060359 **[Emergency Disadvantaged Business Enterprise Program - March 21, 2006, Committee of the Whole]** Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on March 21, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: M06-31

APPROVED

060340 **[Urging Governor Schwarzenegger to submit amicus brief to New York Supreme Court of Appeals in support of the right of same-sex civil marriage]** Supervisor Ammiano

Resolution urging Governor Schwarzenegger to submit an amicus brief to the New York Court of Appeals in support of the right of same-sex civil marriage.

Enacted Number: 166-06

ADOPTED

060356 **[Urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples]** Supervisors Ammiano, Dufty, Alioto-Pier, Mirkarimi, Ma, Daly

Resolution urging Cardinal William Levada, in his capacity as head of the Congregation for the Doctrine of the Faith at the Vatican, to withdraw his discriminatory and defamatory directive that Catholic Charities of the Archdiocese of San Francisco stop placing children in need of adoption with homosexual households.

(Supervisors Ma and Daly added as co-sponsors.)

Enacted Number: 168-06

ADOPTED

060357 [Administration of the South of Market (SOMA) Community Stabilization Fund] Supervisor Daly

Resolution approving support for the Mayor's Office of Community Development to administer the SOMA Community Stabilization Fund.

(Fiscal impact.)

Enacted Number: 162-06

ADOPTED

060358 [Commending Peter Tannen for his leadership in the Bicycle Program] Supervisor Dufty

Resolution commending Peter Tannen for his leadership in the Bicycle Program and his successful initiation of the Bike Plan creating safety measures dedicated to improve the streets of San Francisco and the safety of its bicyclists.

Enacted Number: 163-06

ADOPTED

060360 [Social Workers Month] Supervisor Peskin

Resolution proclaiming the month of March 2006 as Professional Social Work Month.

Enacted Number: 164-06

ADOPTED

060362 [Supporting Senate Bill 1749 - Transit Fare Evasion] Supervisor Peskin

Resolution endorsing Senate Bill 1749, a measure aimed at assisting the MTA in collecting greater revenues from minor transit citations, and urging its passage in the California State Legislature.

Enacted Number: 165-06

ADOPTED

060363 [Protect California State Park Lands] Supervisor Peskin

Resolution requesting the Foothill/Eastern Transportation Corridor Agency immediately and permanently withdraw its plans to construct a toll road through the San Onofre State Beach and urging the Director of Public Finance to refrain from acquiring any bonds for, or making other financial investments in, the Toll Road project.

Enacted Number: 167-06

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

060361 [National Biological Foundry] Supervisors Peskin, Alioto-Pier

Resolution endorsing the application to the United States Department of Energy by the California Council on Science and Technology to establish a National Biological Foundry in San Francisco.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine

Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding] Motion that the Board find that for the resolution (s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved ADOPTION of the Serious Injury Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060371 **[Condemning upcoming rally to be held by anti-abortion groups in front of City Hall on Friday, March 24, 2006]** **Supervisors Ammiano, Ma, Maxwell, Daly, Peskin, Mirkarimi**

Resolution condemning upcoming rally to be held by anti-abortion groups in front of City Hall on Friday, March 24, 2006.

Enacted Number: 180-06

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

041005 [Pedestrian Protections] Supervisor Ma

Ordinance adding Sections 73, 73.1, 75, and 79 to the San Francisco Traffic Code to require the Director of Parking and Traffic to: (1) install countdown pedestrian signals, (2) designate specific crosswalk signal crossing times, and (3) upon the recommendation of the Pedestrian Safety Advisory Committee, install one hundred signs a year for three years informing the public regarding prohibited sidewalk activities; adding Sections 703.3, 703.4, and 703.5 to the San Francisco Public Works Code to require the Director of Public Works to install: (1) corner curb bulb-outs at the intersections of Dr. Carlton B. Goodlett Place with McAllister and Grove Streets, as permitted by state and local law, by June 30, 2007, and (2) ADA compliant curb-cut ramps on every sidewalk corner in the City by June 30, 2014; and providing that the requirements and schedules for installation of certain devices and improvements shall be considered for inclusion in the San Francisco Pedestrian Master Plan and that funding may be sought through the Proposition K Expenditure Plan.

(03/21/06 in Board: Supervisor Ma submitted a substitute ordinance bearing new title. Fiscal impact.)

7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

8/11/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

12/7/04, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

12/7/04, ASSIGNED to Land Use Committee.

12/9/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

12/10/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic as a courtesy.

12/15/04, REFERRED TO DEPARTMENT. Referred to Planning Department (Interim Director of Planning) for environmental review.

12/17/04, REFERRED TO DEPARTMENT. Referred to Planning Department (Environmental Review Officer) for environmental review.

12/20/04, RESPONSE RECEIVED. DPT responding that item is not under their purview.

12/20/04, TRANSFERRED to Finance and Audits Committee.

12/22/04, RESPONSE RECEIVED. Planning Department environmental review; categorically exempt.

1/31/05, TRANSFERRED to Budget and Finance Committee. New committee structure effective 2/7/05.

2/1/05, TRANSFERRED to Land Use Committee.

2/1/05, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

2/1/05, ASSIGNED to Land Use Committee.

3/9/05, TRANSFERRED to Budget and Finance Committee.

12/29/05, FILED PURSUANT TO RULE 5.37.

3/7/06, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Ma requested this matter be reactivated. 3/8/06 - Supervisor Mirkarimi requested to be added as co-sponsor.

3/7/06, ASSIGNED to Land Use and Economic Development Committee.

3/21/06, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

3/21/06, ASSIGNED to Land Use and Economic Development Committee.

060367 **[Adding qualified non-profit enterprises to Small Local Business Enterprise Program]** **Supervisor Ammiano**

Ordinance amending the San Francisco Administrative Code by adding Section 14B.6 to add qualified non-profit enterprises to Small and Micro Local Business Enterprise Program.

3/21/06, RECEIVED AND ASSIGNED to Rules Committee.

060372 **[Off-Street Parking In C-3 Zoning Districts And For Bicycles and Car Share]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Sections 102.9, 151, 151.1, 154, 155, 155.5, 161, 166, 167 and 309 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces and to separate parking costs from housing costs, to impose new requirements for parking for bicycles and car share vehicles, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department, the Municipal Transportation Agency and the County Transportation Agency to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

3/21/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

060365 **[Proposition J Certification, Bad Checks Restitution Program Services]** **Supervisor Dufty**

Resolution concurring with the Controller's certification that the Bad Checks Restitution Program can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees.

(Supervisors Daly and Mirkarimi dissented in committee.)

3/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060366 **[General Advertising Signs - Extension of Planning Commission Review Period]** **Supervisor Peskin**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Administrative Code by adding Section 2.21 to establish a General Advertising Sign Relocation Procedure; to amend the San Francisco Planning Code by amending Section 303 to add criteria for the Planning Commission's approval of a general advertising sign relocation site, adding Section 358 to establish fees for the Planning Commission's review of General Advertising Sign Inventories and proposed Relocation Agreements, amending Section 604 to prohibit general advertising signs that have been removed from being replaced on the same site, adding Section 604.2 to require general advertising sign companies to maintain and submit to the City current inventories of their signs, and amending Sections 1005 and 1111.7 to prohibit the relocation of new general advertising signs to Historic Districts or Conservation Districts or on an historic property regulated by Articles 10 and 11 of the Planning Code; and to adopt findings including environmental findings and findings of consistency with the Priority Policies of Planning Code Section 101.1 and the General Plan.

3/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060371 **[Condemning upcoming rally to be held by anti-abortion groups in front of City Hall on Friday, March 24, 2006]** **Supervisors Ammiano, Ma, Maxwell, Daly, Peskin, Mirkarimi**

Resolution condemning upcoming rally to be held by anti-abortion groups in front of City Hall on Friday, March 24, 2006.

3/21/06, ADOPTED.

060373 **[Traffic Regulations]** **Supervisor Peskin**

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
North Point Street, both directions, from Van Ness Avenue to The Embarcadero.

RIGHT LANE MUST TURN RIGHT - RESCIND
North Point Street, eastbound approaching The Embarcadero.

LEFT LANE MUST TURN LEFT - RESCIND

North Point Street, eastbound approaching The Embarcadero.

(3/17/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

3/21/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060374 [Parking Regulations] **Supervisor Peskin**

Resolution enacting and rescinding parking regulations at various locations.

MUNI BUS ZONES - EXTEND
North Point Street, north side, from 60 feet to 100 feet west of Polk Street (a 40-foot extension, creating a 100-foot bus zone),
North Point Street, north side, from 70 feet to 120 feet east of Hyde Street (a 50-foot extension, creating a 120-foot bus zone),
North Point Street, south side, from 86 feet to 120 feet west of Hyde Street (a 34-foot extension, creating a 120-foot bus zone),
North Point Street, south side, from 80 feet to 100 feet west of Jones Street (a 20-foot extension, creating a 100-foot bus zone),
North Point Street, north side, from 75 feet to 80 feet west of The Embarcadero (a 5-foot extension, creating a 80-foot bus zone), and
North Point Street, south side, from 80 feet to 100 feet west of The Embarcadero (a 20-foot extension, creating a 100-foot bus zone).

MUNI BUS ZONES - RESCIND
North Point Street, north side, from Larkin Street to 75 feet easterly, and south side, from Larking Street to 60 feet westerly.

(3/17/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

3/21/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060381 [Diabetes Awareness Day] **Supervisors Ma, Dufty**

Resolution recognizing March 28, 2006 as "Diabetes Awareness Day".

3/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060382 [World Water Day] **Supervisor Ma**

Resolution recognizing March 22, 2006 as World Water Day.

3/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060383 [Supporting Senate Bill 1414-California Fair Share Healthcare Act] Supervisor Ma

Resolution supporting SB 1414, the California Fair Share Health Care Act.

3/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060384 [Declaring April 8, 2006 as Ruth May Maginnis Day in San Francisco] Supervisor McGoldrick

Resolution declaring April 8, 2006 as Ruth May Maginnis Day in San Francisco.

3/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060385 [Old Mint; Transferable Development Rights] Supervisor Peskin

Resolution authorizing the director of property for the City and County of San Francisco to execute and cause to be recorded a Certificate of Transfer and to take such other actions as may be necessary to effectuate the transfer of development rights from the Old Mint pursuant to Planning Code Section 128.

3/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060369 [Hearing - Formation of a community facilities district in connection with the Rincon Hill Downtown Residential District]

Hearing to consider the approval to accept public testimony regarding the potential recommendation of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations related to the Rincon Hill Downtown Residential District.

3/21/06, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on April 4, 2006 at 3:00 p.m..

060377 [Shelter Monitoring Committee] Supervisor Mirkarimi

Hearing to continue the hearings of the quarterly reports of the Shelter Monitoring Committee in the Rules Committee, originally heard under File No. 051713 of Supervisor Alioto-Pier.

3/21/06, RECEIVED AND ASSIGNED to Rules Committee.

060378 **[Overview of the General Services Agency, Human Services Agency, and the Department of Public Health policy objectives for FY 2006-2007.]** **Supervisor Daly**

Hearing to consider the overview of the General Services Agency, Human Services Agency, and the Department of Public Health policy objectives for FY 2006-2007.

3/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060379 **[Overview of Police Department, Fire Department, and Recreation and Parks Department policy objectives for FY 2006-2007]** **Supervisor Daly**

Hearing to consider the overview of Police Department, Fire Department, and Recreation and Parks Department policy objectives for FY 2006-2007.

3/21/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

060370 **[Committee of the Whole - April 4, 2006 - Formation of a community facilities district in connection with the Rincon Hill Downtown Residential District]** **Supervisor Daly**

Motion to sit as a Committee of the Whole on April 4, 2006 at 3:00 p.m. to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations related to the Rincon Hill Downtown Residential Disrict.

3/21/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendment

060380 [Authorizing members of the Board of Supervisors and other boards and commissions to participate in meetings by teleconferencing when physically unable to attend due to pregnancy or] Supervisor Alioto-Pier

Charter Amendment (First Draft) to amend Sections 2.103 and 4.104 to allow members of the Board of Supervisors and other boards and commissions to participate in meetings by teleconferencing or other electronic means when physically unable to attend due to pregnancy or childbirth.

3/21/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/20/2006. (3/24/06 - Referred to City Attorney for approval as to form.)

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

060298 [Street Encroachment at 1310 Stanyan Street]

Resolution granting revocable permission to Kieran J. Woods to occupy a portion of the public right-of-way to construct a privately maintained driveway, including a low retaining wall, a stepped entry path, landscaping and other related improvements within an existing unimproved portion of Stanyan Street between Clarendon and Mountain Spring Avenues, to provide vehicular access to a proposed new single family dwelling at 1310 Stanyan Street (Block 2706, Lot 035) conditioned upon the payment of an annual assessment fee of $5,600 and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

3/9/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

060299 [Approve Contract with ValueOptions, Inc. for contract services to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]

Resolution authorizing the Department of Public Health to retroactively contract with ValueOptions, Inc. to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2005 through June 30, 2008. (Public Health Department)

3/13/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

3/21/06, WITHDRAWN AND FILED. The item was filed at the request of the

sponsor (Public Heath Department).

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to repair potholes at the following locations: 616 Hayes Street, 1124 Stanyan Street, and intersection of Laguna Street and Ellis Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of damaged street sign at the North East corner of Grove and Divisadero. The street sign has graffiti reading "rove" instead of "Grove".

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of cleaning the grates at the intersection of Eddy Street and Laguna Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to remove graffiti at the following locations: Haight Street and Clayton Street: fire hydrant at Fulton Street and Fillmore Street, Southwest corner: emergency box.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to repair sidewalk at the following locations: Southwest corner of Buchanan Street and Grove Street and the Westside of Laguna Street between Golden Gate Ave. and Turk Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to remove graffiti at the following locations:

ú Belvedere Street and 17th Street, Northeast corner: light pole and stop sign

ú Belvedere Street at 17th Street: parking signs

ú 17th Street at Belvedere Street: parking

Dee Gray aka "Mama Dee" - Supervisors Peskin and Daly

Marco Antonio Firebaugh - Entire Board

Jade Snow Wong - Supervisors Ma and Peskin

Sam Chu Lin - Supervisor Ma

Dr. Richard K. Root - Supervisor Dufty

Lt. Colonel Theodore A. Wilson - Supervisor Maxwell

Jim Berk - Supervisor Daly

Willie Watson - Supervisor Daly

Special Board of Supervisors Meeting

Budget and Finance Committee

March 22, 2006

At the hour of 1:21 p.m. Supervisor Jake McGoldrick was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors for the following items. A Special Board of Supervisors meeting was convened.

Present: Chris Daly, Bevan Dufty, Aaron Peskin, Ross Mirkarimi,

Sean Elsbernd, Jake McGoldrick

051924 [Establishing Maximum Work Hours For General Assistance Programs]

Ordinance amending Chapter 20, Article VII, to add Section 20.58.6 to provide that the maximum number of hours the Department may require General Assistance recipients to work shall be calculated by dividing the

Maximum Monthly Assistance Grant under Section 20.57 of this Chapter by the hourly wage rate established under Section 12P.3(b)(3) of the Administrative Code and by amending Chapter 20, Article VIII, Section 20.77.6 to provide that the maximum number of hours of activities the Department of Human Services may require of participants in the Personal Assisted Employment Service Program shall be the same as required of General Assistance recipients.

Continued to March 29, 2006

Ayes: 5 - Daly, Dufty, Peskin, Mirkarimi, Elsbernd

At the hour of 1:25 p.m. Supervisor Jake McGoldrick was noted absent. The quorum of the Special Board of Supervisor meeting recessed.

At the hour of 5:20 p.m. Supervisors Jake McGoldrick and Fiona Ma were noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors for the following items. A Special Board of Supervisors meeting was re-convened.

060225 [To appropriate $3,330,980 to fund cost overruns at the Police

ADJOURNMENT

There being no further business, the March 21, 2006 Board adjourned at the hour of 3:42 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 18, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be

removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, March 28, 2006
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Tom Ammiano.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll Supervisor Ammiono was noted absent.

Supervisor Ammiano was excused from attending today's meeting.

There was a quorum.

Supervisor Ammiano Excused from Attendance

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to approve the February 28, 2006 and Special Board Meeting Minutes for the Budget and Finance Committee Meeting of March 1, 2006. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Rules Committee

051962 [Membership in the Asthma Task Force] Supervisor Maxwell

Ordinance amending Sections 19A.20 and 19A.23 of the San Francisco Administrative Code to reduce the number of voting members in the Asthma Task Force from 20 to 15 members, modify the list of non-voting members from City agencies, and extend the Task Force expiration date to June 30, 2008.

Enacted Number: 58-06

FINALLY PASSED

060245 [Settlement of Lawsuit - Tutor Saliba Corporation, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, and City Attorney Dennis J. Herrera on behalf of the People of the State of California, against Ronald N. Tutor, Tutor-Saliba Corporation, Tutor-Saliba-Perini & Buckley, J.V., Perini Corporation, Buckley & Company, Inc., American Home Insurance Company, Fidelity and Deposit Company of Maryland, Swiss Reinsurance America Corporation and Aetna Casualty and Surety Company, filed on November 1, 2002 in the United States District Court, Northern District of California, Case No. 02-5286 CW (EMC), entitled City and County of San Francisco, et al., v. Tutor-Saliba Corporation, et al.; and the lawsuit filed by Tutor-Saliba Corporation against Dennis J. Herrera, Tutor-Saliba Corporation v. Herrera; filed on February 19, 2004 in San Francisco Superior Court, Case No. Civ. 434144, California Court of Appeal Case No. A0 108712, for payment by the Tutor Defendants of $19,000,000 to the City and County of San Francisco. Other material terms of said settlement are: (1) payments to be made by Tutor-Saliba Corporation or Tutor-Saliba Perini & Buckley, J.V. to the City and County of San Francisco as follows: $8,000,000 to be paid by June 30, 2006, $3,000,000 to be paid by June 30, 2007, $3,000,000 to be paid by June 30, 2008, and $5,000,000 to be paid by June 30, 2009. (City Attorney)

Enacted Number: 60-06

FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

060226 [To appropriate $6,565,452 to fund the Juvenile Hall Youth Guidance Center Project construction, and to appropriate $1,900,000 for Fire Station No. 24 for the Department of Public Works for

Mayor

Ordinance appropriating $6,565,452, including the de-appropriation of $1,900,000 from the Earthquake Safety Improvement Bonds Phase 1 proceeds, $2,591,458 from the Juvenile Hall Replacement Project COP Reserve/Surety Bond Funds, $1,503,000 from General Fund Capital Program Projects, $453,000 from workers' compensation savings, and $117,994 from Juvenile Hall California Youth Authority General Fund operational savings, to fund the City and County of San Francisco Juvenile Hall Youth Guidance Center Project construction. Additionally, appropriating $1,900,000 of Fire Bond proceeds to fund construction expenses for Fire Station No. 24 for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.) (Supervisors Daly and Peskin dissenting in committee.)

Enacted Number: 59-06

FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Daly, Peskin
Excused: 1 - Ammiano

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060141 **[To appropriate capital project funding for seven capital improvement projects by revising the current sources and uses appropriations in the S.F. International Airport's Five-Year Capital** Mayor

Ordinance appropriating $16,342,714, including the de-appropriation of $15,707,484 in current project funding to use this source for appropriation, and appropriating an additional $635,230 of Airport fund balance generated from prior year's interest income. These sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

052039 **[Fuel Contract 70881 - Office of Contract Administration]**

Resolution authorizing the Purchaser to award contract for Fuel, Diesel, Bio-Diesel and Gasoline as the contract will exceed $10,000,000.00. (Purchaser)

(Fiscal impact.)

Enacted Number: 172-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

060129 **[Emergency contract to contain and abate hazardous material at the MUNI Woods Facility]**

Resolution approving an emergency public work contract to contain and abate a hazardous material diesel fuel spill at the MUNI Woods Facility.

(Public Works Department)

(Fiscal impact.)

Enacted Number: 173-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

060239 **[Airport Revenue Bonds]**

Resolution approving a form of letter of credit and reimbursement agreement relating to the Airport subordinate commercial paper notes and related matters. (Airport Commission)

Enacted Number: 174-06

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

060312 **[Recommending approval of Community Facilities District formation and financing by the ABAG Finance Authority For Nonprofit Corporations]** **Supervisor Daly**

Resolution recommending approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Rincon Hill Downtown Residential District; making findings; approving related joint community facilities agreement; and granting general authority to city officials to take actions necessary to implement this resolution.

Continued to a public hearing on April 4, 2006 at 3:00 p.m.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

060165 **[To appropriate $1,127,000 in funding for San Francisco General Hospital capital projects]** **Mayor**

Ordinance appropriating $1,127,000 in San Francisco General Hospital (SFGH) revenue and appropriating $1,127,000 for the SFGH Rebuild Planning and Environmental Impact Report (EIR).

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

060225 **[To appropriate $3,330,980 to fund cost overruns at the Police Department and violence prevention investments for Children, Youth and Their Families for Fiscal Year 2005-2006]** **Supervisor Ma**

Ordinance appropriating $3,330,980 to fund salary and fringe overruns and expanded services at the Police Department and violence prevention programming and investments in the Department of Children, Youth and Their Families for Fiscal Year 2005-2006. Sources of funds include $2,572,307 from the Unappropriated General Fund Balance and $758,673 from the Fiscal Year 2005-2006 Children's Baseline Growth. Uses of funds include $2,572,307 for the Police Department and $758,673 for the Department of Children, Youth and Their Families.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

From the Budget and Finance Committee Without Recommendation

060252 **[To appropriate funding at the Department of Human Services for homeless services and to maintain and restore shelter bed capacity utilizing General Fund Reserves]** **Supervisors Daly, Mirkarimi, Ammiano**

Ordinance appropriating $690,000 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06.

(Fiscal impact.)

Supervisor Daly, seconded by Supervisor Dufty, moved to amend by placing $690,000 on a Budget and Finance Committee reserve.

Supervisor Daly withdrew the motion to amend this matter.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to re-refer this matter to the Budget & Finance Committee.

Supervisor Elsbernd withdrew the motion to re-refer this matter to Committee.

Continued to April 4, 2006

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendations of the Land Use and Economic Development Committee

051841 **[Haight Street Alcohol Restricted Use Subdistrict - Permissible bar use in movie theaters]** **Supervisors Mirkarimi, Ammiano**

Ordinance amending Planning Code Section 781.9 to allow a bar use in a movie theater under specified circumstances in the Haight Street Alcohol Restricted Use Subdistrict; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Peskin Excused From Voting

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved to excuse Supervisor Peskin, at his request, because of possible conflict of interest, from voting.. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Excused: 2 - Ammiano, Peskin

051925 **[Resolution initiating designation to amend the Telegraph Hill Historic District]** **Supervisor Alioto-Pier**

Resolution initiating designation to amend the Telegraph Hill Historic District and to include additional properties in this Historic District pursuant

to sections 1004 and 1004.1 of the Planning Code.

Enacted Number: 169-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Excused: 2 - Ammiano, Peskin

SPECIAL ORDER 3:00 P.M.

060136 [Public Hearing]

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, for property located at 1101 Persia Avenue the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Boord members.

Harry Gulbengay, Department of Public Works representative.

Anthony Lincoln, property owner requested that the administrative and assessment fees be waived.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

060403 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, for property located at 1101 Persia Avenue the costs thereof having been paid for out of a revolving fund.

(DPW Order No. 175,878; Location: 1101 Persia Avenue.)

Amended by deleting the administrative costs and assessment fees.

Enacted Number: 171-06

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that

this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ma, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Ma welcomed, introduced and presented Certificate of Honors to the members of the Sacred Heart Cathedral Preparatory Girls Basketball team in recognition of winning the California Division 4 State Basketball Championships and to members of the Sacred Heart Cathedral Preparatory Boys Basketball team in recognition for reaching the finals of the State Basketball Championship.

SPECIAL ORDER 4:00 P.M.

060240 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a)

through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq.ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq.ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq.ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

The President inquired as to whether or not any member of the public wished to address the Board members.

Continued to April 4, 2006

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

060241 [Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]

Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically

exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 4, 2006

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

060242 **[Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 4, 2006

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

060243 **[Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 4, 2006

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

COMMITTEE REPORTS

051651 **[Protection of employee rights]** **Supervisors Mirkarimi, Ammiano, Peskin, Dufty, Ma, Maxwell, Daly, Sandoval,**

McGoldrick

Ordinance amending Section 11.55 of the Administrative Code to require franchise grantees to comply with provisions of federal law that prohibit discrimination against an employee based on an employee's decision to participate in employee organizations for the purpose of representation, and to require grantees to notify contractors and subcontractors that they must comply with these same provisions, and to prohibit discrimination against an employee, contractor or subcontractor for speaking before or filing a complaint with any government agency or court, and to ensure that company policies, handbooks, and directives are not construed to limit such activity by an employee.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

060302 [Settlement of Lawsuit - Iva Hetzel]

Ordinance authorizing settlement of the lawsuit filed by Iva Hetzel against the City and County of San Francisco for $50,000; the lawsuit was filed on November 2, 2000 in San Francisco Superior Court, Case No. 434-793; entitled Iva Hetzel, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with the Iraq War

Espanola Jackson; expressed concern with the proposed the Bay View Hunters Point Redevelopment Plan

James Chaffee; expressed concern with issues relating to the SF Library

Eva Skoufls; expressed concern with issues relating to safety for citizens in Potrero district and a recent mugging

Foula Vasilobiorgis; expressed concern with issues relating to safety for citizens in Potrero district and a recent mugging

Eugene Gordon Jr. expressed concern with human rights issues

John da Donna; expressed concern with capital punishment issues

Ace Washington; expressed concern with issues relating to the City Hall pressroom; with the proposed Bay View Hunters Point Redevelopment Plan and issues relating to Channel 29

Supervisor Sandoval was noted absent at 4:35 p.m.

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

060288 **[Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]**

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Resources, for the purpose of reviewing the City's positions in the pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Ammiano

CLOSED SESSION

The Board recessed at the hour of 4:35 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:55 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 8

Report on Closed Session

Deputy City Attorney Cheryl Adams, reported that the Board of Supervisors has met in closed session with the City Labor Negotiators, under the provisions of Government Code Section 54957.6 (a) and San Francisco Administrative Code 67.8 for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing the City employee groups.

Persons in attendance: Supervisors Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, McGoldrick, Peskin

Supervisor Sandoval was noted absent at 4:35 p.m

Supervisor Alioto-Pier was noted absent at 5:20 p.m.

Cheryl Adams, Deputy City Attorney

Phil Ginsburg, Director, Human Resources Department

Micki Callahan, Assistant Employee Relations Director

Steve Kawa, Chief of Staff, Mayor's Office

Monique Zmuda, Assistant Controller

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.

Continued to April 11, 2006

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval
Excused: 1 - Ammiano

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Alioto-Pier, Sandoval
Excused: 1 - Ammiano

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These meosures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require ony resolution to go to committee.

060366 [General Advertising Signs - Extension of Planning Commission Review Period] **Supervisor Peskin**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Administrative Code by adding Section 2.21 to establish a General Advertising Sign Relocation Procedure; to amend the San Francisco Planning Code by amending Section 303 to add criteria for the Planning Commission's approval of a general advertising sign relocation site, adding Section 358 to establish fees for the Planning Commission's review of

General Advertising Sign Inventories and proposed Relocation Agreements, amending Section 604 to prohibit general advertising signs that have been removed from being replaced on the same site, adding Section 604.2 to require general advertising sign companies to maintain and submit to the City current inventories of their signs, and amending Sections 1005 and 1111.7 to prohibit the relocation of new general advertising signs to Historic Districts or Conservation Districts or on an historic property regulated by Articles 10 and 11 of the Planning Code; and to adopt findings including environmental findings and findings of consistency with the Priority Policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 175-06
ADOPTED

060381 [Diabetes Awareness Day] Supervisors Ma, Dufty
Resolution recognizing March 28, 2006 as "Diabetes Awareness Day".

Enacted Number: 176-06
ADOPTED

060382 [World Water Day] Supervisor Ma
Resolution recognizing March 22, 2006 as World Water Day.

Enacted Number: 177-06
ADOPTED

060383 [Supporting Senate Bill 1414-California Fair Share Healthcare Act] Supervisor Ma
Resolution supporting SB 1414, the California Fair Share Health Care Act.

Enacted Number: 179-06
ADOPTED

060384 [Declaring April 8, 2006 as Ruth May Maginnis Day in San Francisco] Supervisor McGoldrick
Resolution declaring April 8, 2006 as Ruth May Maginnis Day in San Francisco.

Enacted Number: 178-06
ADOPTED

060385 [Old Mint; Transferable Development Rights] Supervisor Peskin

Resolution authorizing the director of property for the City and County of San Francisco to execute and cause to be recorded a Certificate of Transfer and to take such other actions as may be necessary to effectuate the transfer of development rights from the Old Mint pursuant to Planning Code Section 128.

Enacted Number: 170-06

ADOPTED

060331 [Final Map for a 41 Unit Commercial/Residential Condominium Project - 901 Bayshore Boulevard]

Motion approving Final Map of 901 Bayshore Boulevard, a Commercial/Residential Condominium Project, being a subdivision of Lot 62 in Assessor's Block No. 5402, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

Enacted Number: M06-32

APPROVED

060370 [Committee of the Whole - April 4, 2006 - Formation of a community facilities district in connection with the Rincon Hill Downtown Residential District] Supervisor Daly

Motion to sit as a Committee of the Whole on April 4, 2006 at 3:00 p.m. to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations related to the Rincon Hill Downtown Residential Disrict.

Enacted Number: M06-33

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Severed from the Without Reference to Committee

Agenda

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

060121 **[Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]** **Supervisor McGoldrick**

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

Continued to May 2, 2006

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051917 **[Amending Community Court Program Administrative Fee]** **Supervisor Daly**

Ordinance repealing Administrative Code Section 10.183 to authorize the District Attorney to collect Administrative Fees from persons who are determined by the District Attorney to be eligible for the community courts program.

11/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

12/22/05, REFERRED TO DEPARTMENT. Referred to City Attorney for approval as to form.

3/28/06, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

3/28/06, ASSIGNED to Budget and Finance Committee. Supervisor Daly submitted a substitute ordinance bearing new title, and approved as to form.

060032 **[Allowing certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month application period and other amendments]** Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to allow certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month grace period provided for obtaining a permit, to define "community facility" and "recreation building" as those that primarily serve persons under 18 years of age, and to provide certain notice to both owners and occupants within 150 feet of a proposed medical cannabis dispensary; amending the San Francisco Health Code by amending Sections 3303, 3304, 3305, 3306, 3307 and 3312 to amend the permitting process for medical cannabis dispensaries to conform to the California Fire Code, to eliminate the need for an employment background check, to provide for a provisional permit to be issued after a hearing but before construction work is performed, to provide for referral of permit applications to the Department of Building Inspection, and to require employees to wash hands and use sanitary utensils when handling cannabis; and making environmental findings and findings of consistency with the priority planning policies of Planning Code Section 101.1 and the General Plan.

1/10/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/9/2006.

1/18/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.

1/24/06, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing same title.

1/24/06, ASSIGNED to Land Use Committee.

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

3/28/06, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

3/28/06, ASSIGNED to Land Use and Economic Development Committee.

060368 **[Unrepresented Employees]** Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

(Fiscal impact.)

3/28/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060386 **[55-year Seismic Safety Retrofit Loan Program Loans]** Supervisor Dufty

Ordinance amending San Francisco Administrative Code Sections 66.1, 66.3, 66.4, 66.5, 66A.2, 66A.4, 66A.13, 66A.24, 66A.25, and 66A.26 to allow for 55-year term Seismic Safety Retrofit Loan Program loans, to name the Mayor's Office of Housing as the Seismic Safety Retrofit Loan Program Administrator, and to make certain administrative clarifications.

3/28/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/27/2006.

060387 **[Preparation of a Backup Plan for Elections]** Supervisor Mirkarimi

Ordinance amending the San Francisco Municipal Elections Code by adding Section 980 to Article IX to require the Director of Elections to prepare a backup plan for elections whenever the voting system intended to be used in the next election is pending certification from the California Secretary of State.

3/28/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/27/2006.

060393 **[Prohibiting Smoking on Golf Courses]** Supervisor McGoldrick

Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.

(Fiscal impact.)

3/28/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be scheduled at the April 3, 2006 meeting.

060394 **[Appropriating $660,000 to the Department of Children, Youth and Their Families to support the John Swett Alternative School in Department Fiscal Year 2005-06]** Supervisors Mirkarimi, Daly

Ordinance appropriating $660,000 of Unappropriated General Fund to maintain operations of the John Swett Alternative School through the Department of Children, Youth and Their Families for Fiscal Year 2005-06.

(Fiscal impact.)(Supervisor Elsbernd dissented in committee)

3/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060395 [Retention of Grocery Workers Upon Change In Control of Grocery Store] — Supervisors Ma, Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval

Ordinance amending the San Francisco Police Code by adding a new Article 33D to require grocery employers to retain employees for 90 days upon change in control of the grocery store; to prohibit grocery employers from terminating the employees during those 90 days without cause; to require grocery employers to conduct a performance evaluation of the employees at the conclusion of the 90 days and consider for continued employment those employees with satisfactory performance; to require public notice of a change in control of the grocery store; and to provide judicial remedies, including hiring and reinstatement rights, front and back pay, and the value of benefits lost, for violation of the ordinance, along with an award of reasonable attorneys' fees to a successful plaintiff.

3/28/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requested to waive the 30-Day Rule.

060396 [Slavery Era Disclosure] — Supervisors Maxwell, Mirkarimi

Ordinance requiring contractors providing insurance and insurance services, financial services, or textiles to the City to disclose any participation in the slave trade, and creating an account, to which contractors subject to this ordinance, and others, may make voluntary contributions, and requiring that monies donated to this account be used to fund economic development and educational initiatives designed to ameliorate the effects of slavery upon the residents of San Francisco.

3/28/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/27/2006.

Resolutions

060388 [Parking Regulations] — Supervisor Mirkarimi

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Market Street, north side, from Franklin Street to Rose Street.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9AM - 6PM, MONDAY THROUGH SATURDAY - ESTABLISH
Market Street, north side, from Franklin Street to Rose Street.

(3/24/06: Categorically exempt from Environmental Review Class 1(c)(9)

changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

3/28/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060391 [Accept-Expend Regional Grant - Department of the Environment] Supervisor Daly

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $42,500 from the California Department of Transportation Bicycle Transportation Account (BTA) to collaborate with the nonprofit organization BikeStation on the Embarcadero bike station facility improvement and services upgrade.

3/28/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060397 [Adopting Board of Supervisors' 2006 Budget Policy Priorities] Supervisor Daly

Resolution adopting the San Francisco Board of Supervisors' 2006 Budget Policy Priorities.

3/28/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060398 [Supporting Assembly Bill 777 - Tax Credits for Qualified Motion Pictures] Supervisor Alioto-Pier

Resolution supporting Assembly Bill 777 - California Tax Credits for Qualified Motion Pictures.

3/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060399 [Fee Waiver for Temporary Occupancy Permit of Hunger Strikers] Supervisors Daly, Mirkarimi

Resolution commending the 23 individuals who participated in the week-long Hunger Strike against the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act," also known as HR 4437, for their commitment to protect the San Francisco's City of Refuge status, and urging the Department of Public Works to waive their Temporary Occupancy permit fees for the week of March 21st, 2006.

3/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060400 [Commending Dr. Stanley Lipsitz on an Supervisors Dufty,

outstanding career with the San Francisco Department of Public Health] — Maxwell

Resolution commending Dr. Stanley Lipsitz on an outstanding career with the San Francisco Department of Public Health and wishing him the best of luck in all of his future endeavors.

3/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060414 [Urging the United States Congress to restore food and funding to the Commodity Supplemental Food Program (CSFP) at the 2005 levels] — Supervisors Dufty, Ma, Daly

Resolution urging the United States Congress to restore food and funding to the Commodity Supplemental Food Program (CSFP) at the 2005 levels.

3/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060415 [Commending Pat and Sheila Brosnan on their contribution to the Irish community of the City and County of San Francisco] — Supervisor Elsbernd

Resolution commending Pat and Sheila Brosnan on their contribution to the Irish community of the City and County of San Francisco.

3/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060416 [Urging President Bush to stop the warrantless surveillance of Americans and to follow the Foreign Intelligence Surveillance Act] — Supervisors McGoldrick, Ammiano, Maxwell, Daly, Mirkarimi, Dufty, Peskin

Resolution urging President Bush to stop the warrantless surveillance of Americans and to follow the Foreign Intelligence Surveillance Act.

3/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060417 [Commending HICAP and Senior Action Network for assisting seniors and disabled] — Supervisors Mirkarimi, Daly

Resolution commending San Francisco Health Insurance Counseling and Advocacy Program (HICAP) and Senior Action Network for Assisting Seniors and the Disabled in Obtaining Health Care and Medication Benefits.

3/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

060418 [Urging San Francisco law enforcement agencies to disregard criminal provisions of proposed federal immigration legislation should they become law] Supervisor Sandoval

Resolution urging San Francisco law enforcement agencies to disregard criminal provisions of proposed federal immigration legislation should they become law.

3/28/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

060389 [Port of San Francisco's 10-Year Capital Plan] Supervisor Peskin

Hearing to consider the Port of San Francisco's 10-Year Capital Plan.

3/28/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

060390 [Progress report of the Western SoMa Citizens Planning Task Force] Supervisor Daly

Hearing on the progress report of the Western SoMa Citizens Planning Task Force as required by Resolution No. 731-04.

3/28/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this item be assigned to Land Use and Economic Development Committee, and agendized as early as April 5, 2006.

Motion

060392 [Rules of Order - Select Committee on Ending Gun and Gang Violence Consists of Three Members] Supervisor Dufty

Motion amending the Board of Supervisors Rules of Orders by amending Rule 5.8 to provide that the Select Committee on Ending Gun and Gang Violence shall be comprised of three members of the Board of Supervisors.

3/28/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

060300 [Settlement of Lawsuit - Maximilian Castro]

Ordinance authorizing settlement of the lawsuit filed by Maximilian Castro against the City and County of San Francisco for $125,000; the lawsuit was filed on December 15, 2000 in San Francisco Superior Court, Case No. 317-475; entitled Maximilian Castro, et al., v. City and County of San Francisco, et al. (City Attorney)

3/16/06, RECEIVED AND ASSIGNED to Rules Committee.

060332 [Settlement of Lawsuit - Mirvat Harb]

Ordinance authorizing settlement of the lawsuit filed by Mirvat Harb against the City and County of San Francisco for $200,000; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-254; entitled Mirvat Harb, et al., v. City and County of San Francisco, et al. (City Attorney)

3/16/06, RECEIVED AND ASSIGNED to Rules Committee.

060335 [Settlement of Lawsuit - Reliant Energy, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against Reliant Energy, Inc. and other Reliant Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been coordinated as Wholesale Electricity Antitrust Cases I & II in the Superior Court of the State of California for the County of San Diego, JCCP Nos. 4204 and 4205; the settlement provides $666,666.66 to San Francisco and $430 million in benefits to California electric ratepayers, among other provisions. (City Attorney)

3/14/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

060333 [IHSS Provider Benefits and Administration Contract Approval - San Francisco IHSS Public Authority]

Resolution approving the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of Administration, health and dental benefits to

IHSS Independent Providers for the period of July 1, 2006 to June 30, 2012, in the amount of $201,786,117.00 (Human Services Department)

(Fiscal impact.)

3/16/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this item be referred to Budget and Finance Committee due to the dollar amount of the contract.

060334 **[Child Care Services Contract Approval - Children's Council of San Francisco]**

Resolution approving the contract between the City and County of San Francisco and the Children's Council of San Francisco to provide child care services, for the period from July 1, 2006 to June 30, 2012, in the amount of $245,425,551. (Human Services Department)

(Fiscal impact.)

3/16/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this item be referred to Budget and Finance Committee due to the dollar amount of the contract.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal at the following locations: 1398 - 12th Ave., 1290 - 12th Ave., 1382 - 11th Ave., and 19th & Irving (garbage can).

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal at the following locations: 17th/Belvedere - Stop Sign, Shrader/Alma - Parking signs near intersection, Shrader/Grattan - Parking Signs, and Grattan/Stanyan - Electric box, NE corner.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of placing a mirror on Webster for traffic exiting Wilmont Street, to be able to see heading north and south bound on Webster.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal at the following locations: Pierce Street between Grove and McAllister - Parking signs on both sides of the street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repair of potholes down the center of Grove Street between Webster and Laguna.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting the Department of Parking and Traffic and the Municipal Transportation Agency to report on the feasibility of increasing the visibility of the stop signs on Scott Street at Grove,

In Memoriams

Harry Orbelian - Entire Board

Brayton Wilbur, Jr. - Entire Board

Caspar Weinberger - Supervisor Elsbernd

Dennis Collins - Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:58 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of

Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 18, 2006.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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